

ERIE COUNTY LEGISLATURE
MEETING NO. 7
March 19, 1998

The Legislature was called to order by Chairman SWANICK.

All Members present.

The Invocation was delivered by Reverend Paul Koehn, Pastor,
Nazareth Lutheran Church.

The Pledge of Allegiance was led by Ms. CHASE.

The Minutes of the previous meeting were TABLED.

MISCELLANEOUS RESOLUTIONS

ITEM 1 - Mr. PAULY presented a resolution of congratulations
Commending Men & Women of Erie County that Supported the Storm Ravaged
area of Upstate New York. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 2 - Mr. PAULY presented a resolution of Welcome &
Congratulations to Our Special Guest From Ireland. Mr. MARSHALL
seconded.

CARRIED UNANIMOUSLY.

ITEM 3 - MESSRS. SWANICK, MARSHALL, Ms. PEOPLES & ET AL presented a resolution of Congratulations to the 4-H Erie County Government. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 4 - Mr. SWANICK & ET ALL presented a resolution of Congratulations to the Erie County Fire Chiefs' Mutual Aid Organization on its 50th Anniversary. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 5 - Mr. DUSZA, presented a resolution of Congratulations Honoring the Bellevue Volunteer Fire Company on its 50th Anniversary. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 6 - Mr. LARSON presented a resolution of congratulations Honoring Margaret Weber & Edna Mae Folger on their anniversaries with the Town Line Ladies. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 7 - MESSRS. DUSZA, OLMA & ET AL presented a resolution of congratulation Honoring the Amp-Pol "1997 Citizens of the Year".

CARRIED UNANIMOUSLY.

ITEM 8 - Ms. PEOPLES & Mr. HOLT presented a resolution of congratulations to the Erie County Division of Equal Employment Opportunity on their Job Fair during the week of March 26 through April 2, 1998. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS:

ITEM 9- CHAIRMAN SWANICK directed that Local Law Intro No. 10 (Print #1) - 1997 remain on the table.

ITEM 10 - CHAIRMAN SWANICK directed that Local Law Intro No. 11 (Print #1) - 1997 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

ITEM 11 - CHAIRMAN SWANICK directed that Local Law Intro No. 1 (Print #1) - 1998 remain on table and in the HEALTH COMMITTEE.

COMMITTEE REPORTS

ITEM 12 - Mr. FITZPATRICK presented the following and moved for immediate consideration. Mr. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 100

MARCH 12, 1998

ECONOMIC DEVELOPMENT
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. 1E-4)
a. **COMPTROLLER:** Audit of DPW Contract Administrative for Capital Projects.
(6-0) Chairman Swanick present as ex-officio member.

Item Page -1998 (Comm. 5D-18)
b. **DPW:** ECMC Masonry Restoration, F Building & Roof

Replacement - Carpentry Shop.

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

Item Page -1998 (Comm. 5M-7)
c. **NFTA:** Copies of the 17A Report & The Capital Expenditure
Reports for the 3rd Quarter of Fiscal Year Ending 1/31/98.

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

Item Page -1998 (Comm. 6D-21)
d. **DPW:** Erie County Home - Home Security Resident Access.

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

Item Page -1998 (Comm. 6M-16)
e. **ECIDA:** Notice of Meeting to be Held 3/11/98.

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

Item Page -1998 (Comm. 6M-17)
f. **NFTA:** Minutes of Meeting Held 1/20/98.

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

Item Page -1998 (Comm. 6M-21)
g. **ST. LAWRENCE COUNTY BOARD OF LEGISLATORS:** Copy of Letter to
Chairman Swanick Re: Reso. No. 56-98 Citing the Negative Impact of
"Exit Control" on Northern Border Communities.

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

AS AMENDED

Item Page -1998 (Comm. 6D-17)
2. **DPW:**

WHEREAS, bids were taken for the Reconstruction of Darling
Road Bridge 379-2, Town of Aurora, on March 5, 1998, the low bidder
being Omer Construction Company, Incorporated of 621 Aero Drive,
Cheektowaga, New York at a low bid amount of \$356,400.00.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is
hereby directed to execute a contract for Project Number DBR 379-2-
97 for the Reconstruction of Darling Road Bridge, BR 379-2, Town of
Aurora, between the County of Erie and the low bidder Omer
Construction Company, Incorporated of Cheektowaga, New York at its
low bid of \$356,400.00, and be it further

RESOLVED, that an amount of \$356,400.00 be allocated from the 1997 Darling Road Reconstruction Program, and be it further

RESOLVED, that an additional amount of \$43,600.00 be allocated for a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders in an amount not to exceed \$43,600.00 from the 1997 Darling Road Reconstruction Program, and be it further

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

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

Item Page -1998 (Comm. 6D-18)
3. DPW:

WHEREAS, the Department of Public Works received bids on February 12, 1998, for the Erie Community College, Door Rehabilitation and Retrofit Project, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into the following contract for the Erie Community College, Door Rehabilitation and Retrofit Project:

All State Development, Inc.	
Base Bid	\$327,000.00
Alt. Bid G-1 (deduct)	(-6,645.00
Alt. Bid G-2 (deduct)	(-6,150.00)
Alt. Bid G-3 (deduct)	<u>(-4,030.00)</u>
Total	\$310,175.00

and be it further

RESOLVED, that the sum of \$20,000.00 be allocated to a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders not to exceed

the amount of the contingency, and be it further

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

RESOLVED, that the sum of \$3,825.00 be allocated for testing and miscellaneous expenses with authorization for the Commissioner of Public Works to expend said funds, and be it further

RESOLVED, that the sum of \$17,000.00 be allocated for Project Engineer and Department of Public Works' salary expenses with authorization for the Commissioner of Public Works to expend said funds, and be it further

RESOLVED, that the Comptroller's Office be authorized to make payments for the project from the 1996 Door & Window Replacement Phase II Bond Account, SFG No. 737, Fund No. 480, and the project is being funded fifty percent (50%) by New York State Aid, and be it further

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

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

Item Page -1998 (Comm. 6D-19)
4. **DPW:**

WHEREAS, the Buffalo Bills and Erie County have entered into 1993 and 1997 Memorandum of Understanding (MOU's) wherein the County agreed to undertake yearly stadium rehabilitation projects in the amount of \$2.1 million per year, and

WHEREAS, only a portion of the 1997 projects and none of the 1998 projects have been started, and

WHEREAS, the Buffalo Bills are now requesting, through the County Attorney's Office, that the County abide by the MOU's and start the design and construction of the remaining 1997 and all of the 1998 rehabilitation projects, without delay,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to issue a supplemental agreement to the Stadium Rehabilitation Engineer, DiDonato Associates, to prepare contract documents and provide design and inspection services for the remaining 1997 and all of the 1998 stadium rehabilitation projects, and be it further

RESOLVED, that the cost of the fee shall not exceed \$225,000.00, and be it further

RESOLVED, that the Comptroller's Office be authorized to make payments for the above from the 1997 Rich Stadium Improvements bond account, SFG No. 803, Fund No. 410, and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner.
(6-0) Chairman Swanick present as ex-officio member.

AS AMENDED
(Comm. 6D-20)

Item Page -1998

5. DPW:

WHEREAS, the 1997 and 1998 capital budgets approved funds for the Botanical Gardens Dome Rehabilitation, and

WHEREAS, the firm of Flynn Battaglia Architects, PC was approved by your Honorable Body for Project Initiation Report Design Services for the Botanical Gardens Dome Rehabilitation on a time and material basis, not to exceed \$52,100, and

WHEREAS, to progress to bidding in 1998, the Department of Public Works is requesting a supplemental agreement be issued to Flynn Battaglia Architects, PC to fully fund the Architect/Engineer Services,

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Public Works be authorized to issue a supplemental agreement to Flynn Battaglia Architects, PC, increasing the fee on a percentage of construction basis to a not to exceed amount of \$310,000.00, including reimbursables, and be it further

RESOLVED, that the Comptroller's Office be authorized to make

payments for all of the above from the 1997 Botanical Gardens Dome Rehabilitation Bond Account, SFG No. 779, Fund 410, and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner.
(6-0) Chairman Swanick present as ex-officio member.

Item	Page	-1998	(Comm. 6D-22)
6. DPW:			
WHEREAS, on December 11, 1997 a 12 inch waterline main broke at the Stadium resulting in flooding of the "Weight Room", and			

WHEREAS, the Buffalo Bills declared an emergency and hired Elmwood Plumbing to make repairs and Lincoln M & S of Buffalo to move the equipment to a safe location, and

WHEREAS, the total cost of said repairs and moving is approximately \$21,000.00, and

WHEREAS, according to the current Buffalo Bills/Erie County Lease agreement, the County is responsible for these extraordinary expenses,

NOW, THEREFORE, BE IT

RESOLVED, that the Buffalo Bills be reimbursed in an amount not to exceed \$21,000.00 for emergency waterline repairs, and be it further

RESOLVED, that the Commissioner of Public Works is authorized to issue an appropriate payment and the Comptroller's Office be authorized to make payments from the 1997 Rich Stadium Improvements Bond Account, Project No. 803, Fund 410, and be it further

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

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

MICHAEL A. FITZPATRICK
Chairman

Mr. FITZPATRICK moved the adoption. Mr. KUWIK seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 100

MARCH 12, 1998

ENERGY AND ENVIRONMENT
COMMITTEE
REPORT NO. 4

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

Item Page -1998 (Comm. 6E-25)
1. COUNTY EXECUTIVE:

WHEREAS, the Erie County Legislature has secured the services of Stearns & Wheler, LLC, to complete the design and construction administration for the Big Sister Sewage Treatment Plant Expansion Contract, and

WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that all engineering services are now complete, and

WHEREAS, the Erie County Division of Sewerage Management has recommended the formal close out of the A/E Agreement dated October 23, 1992 with Stearns & Wheler, LLC and at the final contract amount of \$750,476.58.

NOW, THEREFORE, BE IT

RESOLVED, that the A/E Agreement dated October 23, 1992 between

the County of Erie and Stearns & Wheler, LLC be formally closed out in the final contract amount of \$750,476.58, and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to close out the contract incumbrance in Sewer District No. 2, Fund No. 430, Project No. 533, Department No. 820, Object No. 821, Dues and Fees between the County of Erie and Stearns & Wheler, LLC, and return the unused portion of \$26,230.42 to Unallocated Object No. 891, and be it further

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

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

GREGORY B. OLMA
Chairman

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 101

MARCH 12, 1998

SOCIAL SERVICES
COMMITTEE
REPORT NO. 3

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

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

ERIE COUNTY LEGISLATURE

Item Page -1997 (Comm. 12M-10)
a. NYSAC: Copy of Resolution Re: Urging Changes in the New York State Welfare System.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 18D-35)
b. SOCIAL SERVICES: Copy of Draft Re: Food Assistance Program.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 21M-5)
c. KENNETH K. AIKEN: Copy of Letter to Legislature Re: Landlord/Tenant Relations.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 27M-10)
d. ASSEMBLYMAN SCHIMMINGER: Letter to Legislature Re: Urging Erie County to Adopt a Tenant Responsibility Agreement.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 27M-13)
e. PARENTS ANONYMOUS OF BUFFALO & ERIE COUNTY: Compliance Audit of Three Contracts Between Parents Anonymous & Social Services.
(5-0) Chairman Swanick present as ex-officio member.

AS AMENDED

Item Page -1997 (Int. 8-11)
2. CHASE, MARSHALL, GREENAN, LARSON, RANZENHOFER, SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DEBENEDETTI, DUSZA & MARINELLI:

WHEREAS, protecting children from harm is one of the most important goals of our society and should be considered one of the top missions of Erie County government, and

WHEREAS, this Honorable Body unanimously approved a resolution (7-16-97) calling upon Governor Pataki to increase state funding for child abuse investigators, and

WHEREAS, it is a moral imperative that Erie County government put to use all budgeted resources to combat child abuse and, therefore, should first look to itself to determine if every effort is being made on a county level to address the issue of child abuse, and

WHEREAS, the office of the Erie County Comptroller has informed this Honorable Body that nine vacancies exist in the Child Protection Registry and Child Protection Services within the Erie County Department of Social Services, and

WHEREAS, the nine vacant positions include: (2) Senior Child Protection Workers, (2) Child Protection Workers-Spanish Speaking, (4) Child Protection Workers and (1) Senior Clerk Typist, and

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body requests County Budget Director Kenneth Kruly and Social Services Commissioner Deborah Merrifield to appear before the next meeting of the Social Services Committee to provide the Legislature with information pertaining to the length of time these positions have been vacant and the reasons for the vacancies, and be it further

RESOLVED, that certified copies of this resolution be forwarded to County Executive Dennis Gorski, Budget Director Kenneth Kruly and Social Services Commissioner Deborah Merrifield. (5-0) Chairman Swanick present as ex-officio member.

AS AMENDED

Item Page -1998 (Int. 5-2)
3. MARSHALL, GREENAN, LARSON, RANZENHOFER, CHASE, SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DUSZA & MARINELLI:

WHEREAS, individuals receiving welfare benefits share the same obligation as individuals who are not receiving such benefits to be law abiding citizens, and

WHEREAS, the receipt of welfare benefits is in essence a social contract between the recipient and government and that it is expected of individuals receiving benefits to be law abiding, demonstrate personal responsibility, and strive to become independent of the social welfare system, and

WHEREAS, it was recently reported that welfare benefits were being used in illegal activities, such as food stamps being sold for less than the cash value and being used to purchase unlawful materials, and

WHEREAS, the use of welfare benefits in illegal activities threatens the integrity of our social services system, diverts resources from the truly needy and denies the taxpayers of this state and county the services for which their tax dollars are being levied,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby express its concern that taxpayer dollars are at times used to subsidize the illegal activities of welfare recipients, and be it further

RESOLVED, that this Honorable Body does hereby request Erie County Department of Social Services Commissioner Deborah Merrifield and Erie County Sheriff Patrick Gallivan to appear at a future meeting of the Legislature's Social Services Committee to discuss the possible remedies to the aforementioned situation including removing from the welfare rolls individuals convicted of using their benefits in an illegal manner or having their benefits associated with illegal activities, as well as ways to ensure the safety and well-being of family members who rely on the benefits of those convicted of illegal activities, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Erie County Executive Dennis Gorski, Erie County Department of Social Services Commissioner Deborah Merrifield, and Erie County Sheriff Patrick Gallivan.

Fiscal Impact: None.

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

AS AMENDED

Item	Page	-1998	(Int. 5-3)
4.	MARSHALL, GREENAN, CHASE, LARSON, RANZENHOFER, SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DEBENEDETTI, DUSZA & MARINELLI:		

WHEREAS, according to the National Committee to Prevent Child Abuse, three children die in our nation every day as a result of maltreatment, and

WHEREAS, confidentiality laws in New York State have proven to be dangerous to children who may be protected if information held by Departments of Social Services could be more readily shared, and

WHEREAS, there has been a numerous incidents across Erie County and New York State that have emphasized the fact that the Social Services system, due in part to the confidentiality laws that have become the benchmark of Social Services, is destined to fail those who it is supposed to protect, and

WHEREAS, in 1992, resolution Intro. 6-2 was submitted to the Erie County Legislature by members of the Republican Minority who supported changes to the confidentiality laws with respect to social services, and

WHEREAS, the resolution noted various cases of tragedy such as a case in New York City in which a mother beat her 8 year old son so badly that he was in a coma, and

WHEREAS, a court placed the mother on five years of probation, only to return her three sons, including the one she had beaten, and

WHEREAS, shortly thereafter, one of the boys school teachers noticed signs of abuse and called the state child abuse line to report the incident, and

WHEREAS, a child abuse investigator assigned to the case was "shocked" by the condition of the child, and

WHEREAS, on the same day that the investigator first saw the child, arrangements were being made in family court to approve a final return home for the children and permissions to end the department's supervision over the family, and

WHEREAS, during March of 1990, the Probation Department moved to end its supervision over the mother, a year and a half before the probation was up, and

WHEREAS, before moving to end the supervision, the mother's probation officer sought information from the human resource

department but was denied access due to confidentiality laws, and

WHEREAS, by October of 1990, the abused child had been murdered by his mother, and

WHEREAS, this case clearly accentuates the need to amend the New York State Confidentiality laws, and

WHEREAS, another case sighted in the 1992 resolution Intro. 6-2 dealt with a foster mother charged with murder for beating her 6 year old niece, immersing her in a tub of cold water and taping her mouth shut, and

WHEREAS, police faced major obstacles in trying to piece the incident together because welfare authorities refrained from sharing information due to New York State Confidentiality laws, and

WHEREAS, in a 1992 case in the City of Buffalo, a woman cut the throats and drowned her two daughters and severely injured her son with a pick axe, and

WHEREAS, Ms. James' instability was well documented by the Erie County Department of Social Services yet none of this information had been forwarded to the police who could have checked in on this family from time to time and perhaps prevented this tragedy, and

WHEREAS, in another tragic case, Elisa Izquierdo, a Brooklyn girl, was murdered by her mother despite the fact that the New York City Department of Social Services was aware of abuse taking place in this home, and

WHEREAS, once again, due to confidentiality laws, police agencies and the District Attorney's office were left in the dark about this abuse until the unfortunate murder took place, and

WHEREAS, this case was the basis of 1996 resolution Intro.2-22 which called for the county to support "Elisa's Law", legislation that had been proposed by New York State Attorney General Dennis Vacco, and

WHEREAS, this law, will allow certain information to be shared

yet Attorney General Vacco has indicated that the law could, and should, go further to allow for division of information in a case where a child's life or well being is at risk, and

WHEREAS, the Republican Minority also sponsored legislation to allow disclosure of information when a convicted child molester has migrated to a particular neighborhood, and

WHEREAS, this law was also approved in New York State and has been called "Megan's Law" named after a young girl who had been raped and murdered by a convicted child molester, and

WHEREAS, just two months ago, two children died in a fire allegedly caused by their mother despite the fact that the Department of Social Services had been notified by family and concerned neighbors that there were serious problems with the home environment, and

WHEREAS, an Erie County Surrogate Court Judge admonished the Department of Social Services calling one particular situation in which 10 children were sharing bed space in a two room apartment "a tragedy waiting to happen", and

WHEREAS, in this particular instance, the caretakers of these children were receiving more that \$33,000 per year from Social Services, yet the children were still living in horrendous conditions, and

WHEREAS, in hearing that this family was attempting to buy a home with the funds provided by Social Services, the judge questioned how this family could not afford to provide beds for their children yet they could afford a home, and

WHEREAS, a recent case in the City of Buffalo further highlights the need to share information with police and lawmakers as a young child had been living in squalor for months despite the fact that social workers had been made aware of the problem by school officials, and

WHEREAS, School 53 officials have made it quite clear that they feel as though either the Erie County Department of Social Services or state confidentiality laws or both have tragically

failed this particular student, and

WHEREAS, all of the cases cited indicate that there is a need to address the burden that New York State confidentiality laws place upon police agencies, prosecutors, lawmakers, and child protectors who would be better able to conduct the business of saving the lives of children and the money of taxpayers if they are well informed when a child or welfare program is being abused,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature is in support of the new laws created by state government such as "Elisa's Law" and "Megan's Law" and is committed to the full enforcement of such laws,

and be it further

RESOLVED, that this Legislative Body commends New York State Attorney General Dennis Vacco for his commitment to changing the laws that hamper those responsible for protecting children, and be it further

RESOLVED, that this Honorable Body agrees that more needs to be done to facilitate freer flow of information from the various local Departments of Social Services, and be it further

RESOLVED, that Erie County Department of Social Services Commissioner Deborah Merrifield and a representative from the New York State Attorney General's Office appear at a future meeting of the Legislature's Social Services Committee to discuss the impact of New York State confidentiality laws on the sharing of information between local departments of social services and law enforcement agencies, as well as the potential benefits and drawbacks of changing these laws, and be it further

RESOLVED, that this Legislative Body finds that the deaths of children due to abuse, neglect and maltreatment despite the involvement of government agencies charged with protecting these children is intolerable and unacceptable, and finds equally unacceptable laws which bar legitimate and appropriate inquiries about the activities of such agencies in these cases, for they

frustrate the ability of the Legislature to set informed policy and act in an appropriate oversight capacity, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Erie County Executive Dennis T. Gorski, Erie County Commissioner of Social Services Deborah Merrifield, Erie County Attorney Frank Clark, New York State Attorney General Dennis C. Vacco and the Erie County delegation to the New York State Senate and Assembly.

Fiscal Impact: None.

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

Item Page -1998 (Comm. 6E-15)

5. COUNTY EXECUTIVE:

WHEREAS, the Department of Social Services is seeking authorization to lease and occupy building space at 290 Main Street from Swan Group Limited Partnership, in the City of Buffalo, County of Erie and State of New York, and

WHEREAS, the County has identified this space through the Division of Buildings and Grounds who provided assistance in production and release of a Request for Proposals, and

WHEREAS, the Department of Social Services has recommended the lease of space at 290 Main Street based on its review of the 3 proposals submitted in response to the Request for Proposals, and

WHEREAS, the Department is in the process of planning for the implementation of applicant job clubs as part of the Work First program in 1998 and is also in the midst of significant reorganization planning to accommodate space needs related to Child Support Enforcement expansion and digital imaging systems installation, and

WHEREAS, the landlord has agreed to substantial improvement to the facility including costs of all necessary leasehold improvements, and

WHEREAS, the site is in close proximity to existing Department staff and external agency staff who are already located at 290 Main Street, and

WHEREAS, the recommendation has the advantage that security arrangements are assured at no added cost by two uniformed Erie County Sheriff Deputies currently assigned to the 290 Main Street location, and

WHEREAS, there are no additional County funds required to enter into this lease, as County funding for this leased space is budgeted and is available in the 1998 Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a 3 month lease of up to 24,068 square feet of space at 290 Main Street, Buffalo, New York with the Swan Group Limited Partnership at the annual base rent of \$11.56 per square foot for the period April 1, 1998 through June 30, 1998, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a five-year lease of 31,016 square feet of space on several floors at 290 Main Street, Buffalo, New York at the annual base rate of \$11.56 per square foot for the period July 1, 1998 through June 30, 2003, and be it further

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

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

GEORGE A. HOLT, Jr.
Chairman

Mr. MARSHALL moved to separate Resolve No. 2.

GRANTED.

Mr. HOLT moved to adopt the balance of the report. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Ms. CHASE offered an amendment to Resolve No. 2 as follows:

Add as a Second Last Resolve Clause the following:

RESOLVED, that the Erie County Legislature does hereby request County Executive Gorski to immediately fill all budgeted vacant positions within the Child Protection registry and Office of Child Protection Services, and be it further

Ms. PEOPLES offered an amendment to the amendment as follows:

add after Office of Child Protection Services the following words: "based on comments from the Commissioner of Social Services"

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

CARRIED.

Legislators Chase, Greenan, Larson and Marshall in the negative.

Ms. CHASE moved the adoption of the first amendment. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

LEGISLATORS RESOLUTIONS:

ITEM 15 - Ms. CHASE presented the following resolution and requested that it be referred to the FINANCE AND MANAGEMENT COMMITTEE.

GRANTED.

Int. 7-1 From: Legs. Chase, Greenan, Weinstein, Larson, Ranzenhofer, Marshall, Marinelli & DeBenedetti Re: RFP Process for Future Consolidation Funding

ITEM 16 - Mrs. FISHER presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 102 Re: Enforcing State Law Requiring
Lead

Screening for Children (Int. 7-

2)

WHEREAS, a recently released state Health Department report stated that Erie County children are testing positive for dangerously high lead levels at more than twice the statewide average, and

WHEREAS, the Health Department report stated that ideally children should have a zero lead blood level, however, health officials generally consider levels under 10 micrograms per deciliter acceptable, and

WHEREAS, when all categories of lead exposure were included, 6.8% of children in Erie County, younger than six years old in 1996, had lead levels above 10 micrograms, compared with a statewide rate of 4.2%, and

WHEREAS, while lead-based paint was banned from use in residential buildings more than twenty years ago, the aforementioned report states that the high number of older homes in Erie County, particularly in the City of Buffalo, many of which contain lead-based paint, is an important factor leading to the higher lead levels found in children, and

WHEREAS, inhaling or swallowing even small amounts of lead can result in health and developmental problems, including brain damage and learning disabilities, and

WHEREAS, according to published reports, a 1992 state law requiring lead screening for children has not been enforced since its enactment, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby memorialize the New York State Legislature to appropriate funding for enforcement of the state law requiring lead screening for children, and be it further

RESOLVED, that this Honorable Body does hereby urge the state and county Health Commissioners to develop policy for the timely enforcement of the state law requiring lead screening for children, including the fiscal impact to both Erie County and New York State, in enforcing the aforementioned state law, and be it further

RESOLVED, that County Health Commissioner Dr. Arnold Lubin appear before the before the next meeting of the Legislature's Health Committee to discuss Erie County's responsibility for the implementation of the aforementioned state law, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the New York State Assembly Speaker Sheldon Silver, State Senate President Joseph Bruno, the members of the Western New York State legislative delegation, State Health Commissioner Barbara DuBuono, and County Health Commissioner Dr. Arnold Lubin.

FISCAL IMPACT: To Be Determined.

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

Mrs. FISHER offered an amendment as follows:

Amend the second last RESOLVE clause to read as follows:

RESOLVED, that county Health Commissioner Dr. Arnold Lubin and ECMC lead specialist Dr. Melinda Cameron appear before the next meeting of the Legislature's Health Committee to discuss Erie County's responsibility for the implementation of the aforementioned state law, and be it further

ADD the following before the last RESOLVE:

RESOLVED, that Commissioner Lubin should also be prepared to discuss the following: (1) the provision by Erie County of reduced cost or free lead paint testing kits similar to the carbon monoxide and radon test kits currently available through the county and legislative district offices, (2) the performance of a "cluster study" by the County Health Department or a similar agency to identify where the highest geographic incidence of lead and then implement a program to identify the source of the lead, and (3) review existing government education program regarding lead exposure prevention and discuss the possible enhancement of existing programs or creation of new outreach efforts, and be it further

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

CARRIED UNANIMOUSLY.

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

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

CARRIED UNANIMOUSLY.

ITEM 17 - Ms. CHASE presented the following resolution and requested it be referred to the HEALTH COMMITTEE.

GRANTED.

Int. 7-3 From: Legs. Chase, Weinstein, Greenan, Larson, Ranzenhofer & Marshall Re: High Lead Levels in Children

ITEM 18 - Mr. RANZENHOFER presented the following resolution and requested it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Int. 7-4 From: Legs. Ranzenhofer, Greenan, Larson, Chase, Weinstein & Marshall Re: Support for NYS Senate Bill 3850

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

Int. 7-5 From: Legs. Larson, Weinstein, Chase, Marshall, Greenan & Ranzenhofer Re: Deceased People Who Are Issued Food Stamps.

Chairman SWANICK directed that Int. 7-5 be referred to the SOCIAL SERVICES 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, Ranzenhofer - 5.
Noes - Pauly, Weinstein, DeBenedetti, Dusza, Fisher, Fitzpatrick, Holt, Kuwik, Marinelli, Olma, Peoples, Swanick - 11.

DEFEATED.

Subsequently, Int. 7-5 was referred to the SOCIAL SERVICES COMMITTEE.

ITEM 20 - Mr. LARSON presented the following resolution and requested it be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Int. 7-6 From: Legs. Larson, Chase, Greenan, Ranzenhofer & Marshall Re: Additional Funding for Road & Bridge Repair

ITEM 21 - Mr. GREENAN presented the following resolution and

requested it be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Int. 7-7 From: Legs. Larson, Chase, Greenan, Ranzenhofer & Marshall
Re: Creating a Climate for Enduring Economic Prosperity in Western New York

ITEM 22 - Mr. DEBENEDETTI presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 103 Re: Clean Water and Economic Development
(Int. 7-8)

WHEREAS, Lawsuits have been filed by environmental advocates demanding that regulators move from controlling individual points of pollution (factories, waste treatment plants) to improving the overall quality of larger watersheds, and

WHEREAS, Suits have been filed in about twenty five states, and

WHEREAS, One suit in Federal Court is demanding that the Environmental Protection Agency force New York State to set pollution limits in upstate watersheds at levels strict enough to protect New York City's drinking water, and

WHEREAS, The plaintiffs are also demanding that citizens groups be allowed to participate in setting pollution limits, and

WHEREAS, Similar lawsuits involving 13 other states are on the federal dockets, and more are expected in coming months, and

WHEREAS, Federal courts have already ordered nine states - Alaska, Arizona, parts of California, Delaware, Georgia, New Mexico, Oregon, Pennsylvania, and West Virginia Beach, to establish pollution limits, and

WHEREAS, The suits are based upon the 1972 clean Water Act, which requires states to force industries to use certain

technologies that keep from fouling water at specific discharge points, and

WHEREAS, That provision had been widely disregarded, and

WHEREAS, The Courts have imposed strict detailed clean-up schedules in Georgia, and

WHEREAS, the ruling has held economic development hostage until Georgia corrects its longstanding violations, and

WHEREAS, Plaintiffs are making increasingly stiff demands on states like New York, which has already agreed with the EPA to set limits around the upstate reservoirs that feed New York City's water supplies, and

WHEREAS, The natural Resources Defense Council is asserting that these agreements do not satisfy the full demands of the law, and

WHEREAS, Erie County is home to many fine watersheds and a variety of polluted sites.

NOW, THEREFORE, BE IT

RESOLVED, That this Body is concerned that the environmental litigation will have an impact on Erie County's environmental plans and economic development projects, and be it further

RESOLVED, That this Body requests that the Erie County Attorney and the Commissioner of the Department of Environment and Planning appear in committee to discuss the effect that the above litigation will have on Erie County, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Kenneth Schoetz, County Attorney; and Richard Tobe, Commissioner of the Department of Environment and Planning.

Fiscal Impact: None for resolution.

ALBERT DEBENEDETTI

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

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

CARRIED UNANIMOUSLY.

ITEM 23 - Mrs. FISHER presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 104 Re: Support for Increased School-Based Health Care Funding (Int. 7-9)

WHEREAS, approximately 160 school-based clinics currently operate across New York State, serving over 140,000 elementary to high school age students, and

WHEREAS, all students enrolled in these health clinics must have parental consent to use the services, which include physical examinations, treatment for acute and episodic illness, counseling, immunization, laboratory tests, and a range of reproductive health care services, and

WHEREAS, school-based healthcare clinics not only provide a wide range of comprehensive medical services, these clinics also teach children that healthcare is accessible in a safe and secure environment and the importance of taking care of themselves, and

WHEREAS, healthcare services received at these clinics are provided at no cost to students, however appropriate reimbursements are sought from Medicaid and other third-party payers, and

WHEREAS, school-based health clinics are supported with State funds administered by the State Departments of Health and Education, the Office of Mental Health, and financial support is also offered through the Robert Woods Johnson

Foundation, and

WHEREAS, despite the growing demand for school-based health programs, State funding has not increased for at least three years, and

WHEREAS, State Senator Velmanette Montgomery has suggested implementing a new funding stream of \$15 million to be established to offer additional support to School-Based Health Centers, and

WHEREAS, under Senator Montgomery's plan, \$6 million in new federal dollars appropriated for Child Health Plus would be matched by a \$6 million contribution from Managed Care organizations participating in Medicaid Managed Care, and \$3 million from Child Health Plus insurance plans, and

WHEREAS, this combined \$15 million would directly reimburse for school-based health services provided to their covered children and funds could be allocated according to a formula for funding new sites based on Medicaid and Child Health Plus enrollment, and

WHEREAS, Governor Pataki has proposed a plan to guarantee health insurance for every young New Yorker, and

WHEREAS, expansion of the Governor's proposal to include expansion of school-based health clinics would not only provide children with a mechanism to access health care but would also focus on easy access to health service in a supportive daily environment, and

WHEREAS, Since the 1970's Erie County has funded the school nurse program in the City of Buffalo, thereby demonstrating its support and commitment to school-based health care,

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature does hereby support increased State funding for school-based health clinics and Senator Montgomery's proposal to implement a new funding stream to support these programs, and be it further

RESOLVED, that this Honorable Body calls upon Governor Pataki to include, in his proposal, expansion of school-based health clinics which have proven to be a successful method of delivering comprehensive primary care to a population that might not otherwise obtain critical health services, and be it further

RESOLVED, that the Erie County Legislature further calls upon the New York State Assembly and Senate to approve funding increases for School-Based Health Programs in the 1998-1999 Budget and to authorize the implementation of the new funding stream proposed by Senator Montgomery , and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor George E. Pataki, Senate Majority Leader Joseph L. Bruno, Senate Minority Leader Martin L. Connor, Assembly Speaker Sheldon Silver, Assembly Minority Leader Thomas M. Renolds, Chairman of the Senate Health Committee Kemp Hannon, Chairman of the Assembly Health Committee Richard N. Gottfried, Chairman of the Senate Finance Committee Ronald B. Stafford, Chairman of the Assembly Ways and Means Committee, Herman D. Farrell, Jr. and to Senator Velmanette Montgomery.

Fiscal Impact: To be determined.

CRYSTAL D. PEOPLES

JUDITH P. FISHER

Mr. MARSHALL moved to send to committee. Mr. RANZENHOFER seconded.

Chairman SWANICK directed that a Roll Call be taken.

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

DEFEATED.

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

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

CARRIED UNANIMOUSLY.

ITEM 24 - Mr. PAULY presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 105 Re: Increased Funding for Libraries in
Local Communities (Int. 7-10)

WHEREAS, the Legislature has identified the need for additional library funding for the Amherst and Clarence libraries, and

WHEREAS, the Legislature set aside funds in the 1998 Erie County Budget for use by worthy community organizations, and

WHEREAS, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in crime fighting, emergency services, or other types of neighborhood based service delivery, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$19,000 from the legislative contingency (Countywide DAC: 110923310893) to Fund 820, Project 973, Department 420 - Buffalo and Erie County Public Library as follows:

Transfer \$9,500 to Library Books/Media (DAC: 820973420938-Amherst Libraries
Transfer \$2,500 to Lab & Tech Equip. (DAC: 820973420933-Amherst Libraries
Transfer \$700 to Library Books/Media (DAC: 820973420938-Clarence Libraries
Transfer \$1,000 to Other Expenses (DAC: 820973420826-Clarence Libraries
Transfer \$1,800 to Office Equipment (DAC: 820973420932-Clarence Libraries

fighting, emergency services, or other types of neighborhood-based service delivery, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$2,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
	South Cheektowaga Baseball Assn.	
n/a		
	\$ 1,000	
Cheektowaga Southside, Inc.	n/a	\$ 1,000
TOTAL		\$ 2,000

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, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman and to Richard A. Wozniak, President, South Cheektowaga Baseball Association, 33 Grand Prix, Cheektowaga, NY 14227; Beth O'Brien, President, Cheektowaga Southside, Inc., 123 Colby St., Cheektowaga, NY 14206.

Fiscal Impact: Appropriation of 1998-budgeted funds.

RAYMOND K. DUSZA

Mr. DUSZA offered an amendment as follows:

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

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$3,000 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>
South Cheektowaga Baseball Assn.	n/a	\$ 1,000
Cheektowaga Southside, Inc.	n/a	\$ 1,000
Cheektowaga Hockey Booster Club	n/a	\$ 1,000
TOTAL		\$ 3,000

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis T. Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, First Assistant county Attorney Alan Gerstman and to Richard A. Wozniak, President, South Cheektowaga Baseball Association, 33 Grand Prix, Cheektowaga, NY 14227; Beth O'Brien, President, Cheektowaga Southside, Inc., 123 Colby St., Cheektowaga, NY 14206; Joseph Conti, Cheektowaga Hockey Booster Club, 140 Goering Ave., Cheektowaga, NY 14225.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

ITEM 26 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mr. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 107 Re: Funding for Programs in the City of Buffalo (Int. 7-12)

WHEREAS, the Legislature set aside funds in the 1998 Erie County Budget for use by worthy community organizations and governmental agencies, and

WHEREAS, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in crime fighting, emergency services, or other types of neighborhood-based service delivery, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$40,000 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 agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Masten Neighborhood Advisory Council	830/0264	\$40,000
TOTAL		\$40,000

and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$7,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Cultural Agencies, (DAC: 110920300830), as follows:

<u>NAME</u>	<u>LINE</u>	<u>BUDGET</u> <u>AMOUNT</u>	<u>+/-</u>	<u>NEW</u> <u>AMOUNT</u>
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ERIE COUNTY LEGISLATURE

Artspace	830/0890	\$0.00	\$7,000	\$7,000
TOTAL			\$7,000	

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, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman and to Nettie Anderson, Masten Neighborhood Advisory Council, 735 Humboldt Parkway, Buffalo, NY 14208, and Deborah Ott, Artspace, c/o Just Buffalo Literary Center, 2495 Main Street, Suite 436, Buffalo, NY 14202.

Fiscal Impact: Appropriation of 1998-budgeted funds.

CRYSTAL D. PEOPLES

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 108 Re: Transfer of Funds (Int. 7-13)

WHEREAS, in 1997, the Erie County Legislature held a community-wide forum on the topic of Regionalism, and

WHEREAS, this event drew participants from throughout Western New York, and was headlined by former Albuquerque, NM mayor David Rusk, a leader on the issue of Regionalism, and

WHEREAS, a small transfer of funds is necessary to satisfy the contractual agreement, and

WHEREAS, the Legislature must approve a resolution such as this to effectuate this transfer of funds, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature's Pther Expenses account is increased by \$2,500 (DAC: 110905100826) and See 520 Exemption Removal revenue in the General Fund Countywide Budget department, the annual adopted budget revenue having been exceeded (DAC: 110923310301) is increased by \$2,500, and be it further

RESOLVED, that the Clerk of the Legislature and the Director of the Division of Budget, Management & Finance, are hereby authorized to complete any paperwork necessary to effectuate this action, and be it further

RESOLVED, that certified copy of this resolution be sent to Budget Director Kenneth C. Kruly.

Fiscal Impact: Appropriation of 1998-budgeted funds.

CHARLES M. SWANICK CRYSTAL D. PEOPLES

Ms. PEOPLES offered an amendment as follows:

ADD after the final WHEREAS clause:

WHEREAS, Erie Community College (ECC) has been selected as a grant submittal finalist in the Society of Manufacturing Engineers (SME) Education Foundation's highly competitive submittal process, and

WHEREAS, ECC is the only community college chosen as one of the fourteen post-secondary education institutions selected to submit final proposals out of a total of 112 preliminary submittals, and

WHEREAS, ECC staff and administration have prepared a highly competitive final grant package, and

WHEREAS, the SME Manufacturing Education Grant proposal requires local funding to match award dollars for joint industry and college site specific training assessment modules and vocational instructional modules that will deliver comprehensive training required by skilled manufacturing trades,

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

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$5,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to the Erie Community College department in the County of Erie's General Fund Budget (DAC: 110929430864300), for the purposes of satisfying the local funding requirements of the grant project as described above, and be it further

RESOLVED, that the Clerk of the Legislature, the Director of the Division of Budget, Management & Finance, and the Interim President of Erie Community College are hereby authorized to complete any paperwork necessary to effectuate these respective budgetary adjustments, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis T. Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman, and Interim ECC President William Mariani.

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

CARRIED UNANIMOUSLY.

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

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

CARRIED UNANIMOUSLY.

ITEM 28 - Mr. LARSON presented the following resolution and moved for immediate consideration. Mr. MARSHALL seconded.

Int. 7-14 From: Leg. Larson Re: Sports Management Curriculum at ECC.

Chairman SWANICK directed that Int. 7-14 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 & Ranzenhofer - 5.
Noes - Pauly, Weinstein, DeBenedetti, Dusza, Fisher, Fitzpatrick, Holt, Kuwik, Marinelli, Olma, Peoples & Swanick - 12.

DEFEATED.

Subsequently, Int. 7-14 was referred to the COMMUNITY ENRICHMENT COMMITTEE.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 109 Re: Williamsville Toll Barrier
#50 (Int. 7-15)

WHEREAS, the New York State Thruway Authority operates a toll barrier at Exit #50 in the Village of Williamsville, and

WHEREAS, this toll barrier was established decades ago when traffic patterns were different and the volume of vehicles passing through the barrier was thought to be minimal, and

WHEREAS, decades of development and growth in the Town of Amherst and Western New York region has caused vehicle traffic through the Williamsville Toll Barrier #50 to increase significantly, and

WHEREAS, it is now common for 20 to 30 minutes delays when utilizing the Williamsville Toll Barrier #50 in peak traffic, and

WHEREAS, the noise and pollution from idling vehicles negatively impacts upon the residents of the Village of Williamsville whose homes are located adjacent to Toll Barrier #50, and

WHEREAS, effort have been initiated by a number of elected officials as well as local residents to convince the NYS Thruway Authority to move the Williamsville Toll Barrier #50 east of its present location to help improve the flow of traffic in the area of the existing toll barrier and to provide relief to the residents of Williamsville who must endure the fumes and noise associated with long line of vehicles waiting to clear the barrier, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature recognizes and wishes to relieve the high levels of noise and pollution endured by homeowners residing adjacent to the Williamsville Toll Barrier #50, and be it further

RESOLVED, that the Erie County Legislature does hereby encourage the NYS Thruway Authority to relocate the Williamsville Toll Barrier #50 east of its present location, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the Chairman of the New York State Thruway Authority, Governor George Pataki, and to the members of the Western New York State and Congressional legislative delegations,

Fiscal Impact: None.

BARRY M. WEINSTEIN, M.D.

Ms. PEOPLES offered an amendment as follows:

ADD the following after the final WHEREAS clause:

WHEREAS, similar problems exist relative to other New York State Thruway toll barriers in Erie County, and

WHEREAS, the Lackawanna toll barrier on Interstate 90 is another regular source of backed-up and idling traffic, causing traffic delays and other problems in that area, and

WHEREAS, additionally, the existence of toll barriers on Interstate 190 in the Black Rock area of the city of Buffalo and on the Buffalo/Cheektowaga border near the Kaisertown section of Buffalo are problematic in that they restrict free and easy highway travel within the city of Buffalo, and

WHEREAS, these toll barriers, which charge \$.50 per trip, were initially intended to fund construction of the road, and thereafter be eliminated, a situation which has not occurred, and

WHEREAS, it is in the best interest of residents, businesses and others having an interest in enhancing transportation services in Western New York for the New York State Thruway Authority to comprehensively review the locations of toll barriers in Erie County that sit outside the city of Buffalo, and review the possibility of the elimination, of toll barriers at the Black Rock and Kaisertown locations.

ADD the after the second RESOLVE clause:

RESOLVED, that in a similar interest to remove noise and pollution problems, and to address problems associated with traffic congestion near the Lackawanna Toll Barrier on Intersate 90, this Honorable Body does hereby conceptually support relocation of the Lackawanna toll barrier to a more appropriate westerly location, and be it further

RESOLVED, that this Honorable Body does hereby support the elimination of toll barriers on the Interstate 190 near the Buffalo/Cheektowaga Border and in the Black Rock section of the city of Buffalo as a means to enhance free and easy highway travel within the city of Buffalo and from the Buffalo's immediate suburbs into the city, and be it further

Mr. GREENAN moved to send to committee. Mr. MARSHALL seconded.

Chairman SWANICK directed that a Roll Call be taken.

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

DEFEATED.

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

CARRIED UNANIMOUSLY.

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

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

Chairman SWANICK directed that a Roll Call be taken.

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

CARRIED.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 110 Re: Support for a State Bill Creating
a New Crime of Stalking and Adding
Stiffer Penalties to the Crime
(Int. 7-16)

WHEREAS, The Erie County Legislature recognizes the severity behind Family Violence and has established a Domestic Violence Initiative Fund to support programs that focus on the prevention of family violence and treatment programs for victims and abusers, and

WHEREAS, Frequently, victims who have separated from their abuser, are subject to harassment, threats, terrorizing phone calls, and other frightening circumstances brought on by their abuser which could be defined as stalking, and

WHEREAS, Stalking victims often seek safety through a order of protection however, often their efforts are unsuccessful and they continue to be stalked and harassed, and

WHEREAS, A recent FBI crime report shows that 30% of all murdered women are killed husbands or boyfriends who have know to have stalked them, and

WHEREAS, In 1992 the State Legislature took an important step toward recognizing that stalking requires stronger measures by amending New York menacing and harassment sections to include stalking behavior within the definitions of those crimes however, this step does not go far enough to protect the stalking victim, many of which are in life threatening danger, and

WHEREAS, State Legislators have proposed Bill A.1259 which would create a new and separate crime of stalking and add stiffer penalties to the crime than were previously imposed for the crimes of menacing and harassing, and

WHEREAS, This Bill establishes the crimes of stalking in the first, second and third degrees, it includes a provision that commission of the crime of stalking while in violation of a temporary or regular order of protection constitutes a felony, it gives the criminal and family courts concurrent jurisdiction over crimes of stalking, and specifically defines elements of the crimes of stalking,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby support Assembly Bill A1259 for the greater protection it could bring to those being stalked by a known or unknown assailant, and be it further

RESOLVED, That this Honorable Body does further call upon the State Assembly and Senate to pass such legislation and Governor Pataki to sign bill A1259 into law, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Governor George E. Pataki, the Western New York Delegation of State Senators and Assemblymembers, and the New York State Coalition Against Domestic Violence, Inc.

Fiscal Impact: To Be Determined.

LYNN M. MARINELLI

Ms. MARINELLI offered an amendment of adding the Assembly Bill to the original resolution.

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

CARRIED UNANIMOUSLY.

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

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

CARRIED UNANIMOUSLY.

ITEM 31 ❖ Ms. RANZENHOFER presented the following resolution and requested it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Int. 7-17 From: Legs. Ranzenhofer, Chase & Weinstein Re: Prohibiting Imposition of a Sentence Without Imposition of a fine for DWI Offenses

ITEM 32 - Mr. KUWIK presented the following resolution and moved for immediate consideration. Mr. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 111 Re: Funding for Community Initiatives
(Int. 7-18)

WHEREAS, the Legislature set aside funds in the 1998 Erie County Budget for use by worthy community organizations and governmental agencies, and

WHEREAS, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in crime fighting, emergency services, or other types of neighborhood-based service delivery, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$13,500 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Hamburg Natural History Soc.	n/a	\$10,000
Village of Blasdell Police Dept.	n/a	\$ 1,500
Olivencia Community Center	n/a	\$ 2,000
TOTAL		\$13,500

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 and to Gerold Bastedo, President, Hamburg Natural History Society, S-5215 Orchard Ave., Hamburg, NY 14075; Thomas Best, Chief of Police, Village of Blasdell, 121 Miriam Ave., PO Box 2180, Blasdell, NY 14219; Chito Olivencia, Board President, Olivencia Community Center, 261 Swan St., Buffalo, NY 14204.

Fiscal Impact: Appropriation of 1998-budgeted funds.

EDWARD J. KUWIK

Mr. KUWIK moved the adoption. Mr. HOLT seconded.

CARRIED UNANIMOUSLY.

ITEM 33 - Mr. RANZENHOFER presented the following resolution and requested it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Int. 7-19 From: Legs. Ranzenhofer, Chase & Weinstein Re: Support for NYS Senate Bill 89

ITEM 34 - Mr. RANZENHOFER presented the following resolution and requested it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Int. 7-20 From: Legs. Ranzenhofer, Chase & Weinstein Re: Support for Lowering the Per Se Intoxication Level from .10 Percent to .08 Percent Blood Alcohol Content

ITEM 35 - Mr. RANZENHOFER presented the following resolution and requested it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Int. 7-21 From: Legs. Ranzenhofer, Chase, Greenan, Weinstein & Larson Re: Support for an Act to Amend the Penal Law, in Relation to Vehicular Manslaughter in the First Degree and Vehicular Assault in First Degree

ITEM 36 - Mr. RANZENHOFER presented the following resolution and requested it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Int. 7-22 From: Legs. Ranzenhofer, Chase, Greenan & Weinstein Re: Authorizes the discovery of Blood Samples and Records in Certain Alcohol-Related Accidents

ITEM 37 - Mr. RANZENHOFER presented the following resolution and requested it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Int. 7-23 From: Legs. Ranzenhofer, Chase, Greenan & Weinstein Re: Support for Permanent Revocation of a Driver's License for Certain Alcohol or Drug Related Offenses

ITEM 38 - Mr. RANZENHOFER presented the following resolution and requested it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Int. 7-24 From: Legs. Ranzenhofer, Chase, Greenan, Larson, Marshall & Weinstein Re: Support for NYS Senate Bill S.5457

ITEM 39 - Mr. RANZENHOFER presented the following resolution and requested it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Int. 7-25 From: Legs. Ranzenhofer, Chase & Weinstein Re: Support for NYS Senate Bill S.4766

COMMUNICATIONS DISCHARGED FROM COMMITTEE

ITEM 40 - Mrs. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 6E-26. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 112 Re: Sycamore Street Lease

WHEREAS, the Erie County Medical Center Division of Chemical Dependency operates a Vocational Recovery and Rehabilitation Center, providing job assessment, training and placement for patients recovering from drug and alcohol addiction, and

WHEREAS, the program has been housed for the past two years at 923 Sycamore Street, in a building owned by Friends of Cazenovia Manor, for a fee of \$1.00 a year to assist in program start-up, and

WHEREAS, Friends of Cazenovia Manor now requests due rent to be paid for use of the property, and

WHEREAS, the Erie County Medical Center requests the County of Erie to enter into a lease on its behalf for rental of space at 923 Sycamore Street, Buffalo, New York at a cost of \$5.00 per square foot, excluding utilities,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the County of Erie on behalf of the Erie County Medical Center to enter into a lease with Friends of Cazenovia Manor for the rental of 3,820 square feet of space at 923 Sycamore Street, Buffalo, New York, at an annual cost of \$19,100, for one year from date of execution, with successive one-year renewals terms, and a sixty-day termination clause, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Comptroller, to Mark Zygaj, Chief Financial Office of the Erie County Medical Center, and to Martin Hamann, Director of Mental Health and Special Services, Erie County Medical Center.

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

CARRIED.

Legislator Weinstein in the negative.

ITEM 41 - Ms. PEOPLES moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Int. 5-25. Mr. PAULY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 113 Re: Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Int. 5-25)

WHEREAS, Section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 requires the Immigration and Naturalization Service to develop a system which would document the entry and departure of "every alien" arriving and leaving the United States, and

WHEREAS, the legislative language failed to recognize the long practice of not requiring most American and Canadian nationals to register with documents at the border, and

WHEREAS, two amendments that would correct the existing legislation and clarify the original intent of the US Congress, numbers HR2955 by Congressman LaFalce and S1360 by Senator Abraham, have been introduced and will exempt from Section 110 all Canadian nationals who are not otherwise required by law to possess a visa,

passport, or border-crossing identification card, and

WHEREAS, the application of Section 110, as written, on the US-Canada border would not only be extremely costly for the business interests of both countries but also for private colleges located in Buffalo and Western New York, and exit controls under this Section have been calculated by Senator Spencer Abraham of Michigan to cause border delays of five to seventeen hours and would especially impact the Niagara Frontier where crossings number in the millions every year, and

WHEREAS, according to the Canadian Consulate General in Buffalo, the Government of Canada fully supports the LaFalce and Senator Abraham amendments, and

WHEREAS, D'Youville College currently enrolls approximately 350 Canadian citizens who travel from Ontario to Buffalo for classes, and has entered into an agreement with Seneca College in Toronto for an International Business Program which promises to bring more international students to D'Youville through Canada, and

WHEREAS, other local colleges and universities also enroll a significant number of Canadian Students,

NOW, THEREFORE, Be It Resolved that the Erie County Legislature goes on record in favor of Amendment HR2955 and Amendment S1360 to the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to enable the fine tradition of non-documented passage of American and Canadian nationals between our two great countries to encourage our continued cooperation and economic growth. Certified copies to the Western New York Delegation to the U.S. Congress.

Fiscal impact: none for resolution

WILLIAM A. PAULY

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

ITEM 42 - Ms. MARINELLI moved for a suspension of the rules to include and item not on the agenda.

GRANTED.

Comm. 7M-23 From:ECC's Board of Trustees Re: Erie Community College's Society of Manufacturing Engineers (SME) Educational Foundation

Chairman SWANICK directed that Comm. 7M-23 be referred to the COMMUNITY ENRICHMENT COMMITTEE.

COMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATOR SWANICK

ITEM 43 - (Comm.E-1) 1998 Committee Assignments - Revised.

RECEIVE, FILE & PRINT.

COMMUNITY
ENRICHMENT

Chair: Lynn M. Marinelli
V. Chair: Judith P. Fisher
Members: George A. Holt, Jr.
William A. Pauly
Dale W. Larson
Clerk: *Theresa Kennedy*

GOVERNMENT AFFAIRS

Chair: Raymond K. Dusza
V. Chair: George A. Holt, Jr.
Members: Lynn M. Marinelli
John Greenan
Frederick J. Marshall
Clerk: *Tom Santa Lucia*

ECONOMIC DEVELOPMENT

Chair: Michael A. Fitzpatrick
V. Chair: George A. Holt, Jr.
Members: Edward J. Kuwik
Michael H. Ranzenhofer
John W. Greenan
Clerk: *Jeremy Rosen*

HEALTH/MENTAL HEALTH

Chair: Judith P. Fisher
V. Chair: Crystal D. Peoples
Members: Raymond K. Dusza
Barry A. Weinstein
William A. Pauly
Clerk: *Robert Graber*

ENERGY & ENVIRONMENT

Chair: Gregory B. Olma
V. Chair: Edward J. Kuwik
Members: Raymond K. Dusza
William A. Pauly
John W. Greenan
Clerk: *Patrick Foster*

PUBLIC SAFETY

Chair: Edward J. Kuwik
V. Chair: Raymond K. Dusza
Members: Lynn M. Marinelli
Dale W. Larson
Jeanne Z. Chase
Clerk: *Patricia Jaworowicz*

FINANCE & MANAGEMENT

Chair: Crystal d. Peoples

SOCIAL SERVICES

Chair: George A. Holt, Jr.

V. Chair Edward J. Kuwik
Members: Michael A. Fitzpatrick
Michael H. Ranzenhofer
Dale W. Larson

V. Chair Gregory B. Olma
Members: Judith P. Fisher
Jeanne Z. Chase
Frederick J. Marshall

Clerk: Brian Kelly

Clerk;

RECEIVED, FILED & PRINTED.

FROM THE COUNTY EXECUTIVE

ITEM 44 - (Comm. 7E-2) Position Change Report.

Received & referred to the GOVERNMENT AFFAIRS COMMITTEE.

ITEM 45 - (Comm. 7E-3) Copy of Letter to Deputy Town Attorney Town of Cheektowaga Re: Cancellation of County Taxes.

FROM THE COMPTROLLER

ITEM 46 - (Comm. 7E-4) Investment Earnings 1997

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

FROM COUNTY EXECUTIVE

ITEM 47 - (Comm. 7E-5) Copy of Letter to Cheektowaga Fire Chiefs Mutual Aid Association Re: Emergency Service Communications.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMPTROLLER

ITEM 48 - (Comm. 7E-6) Copy of Letter to Division of Budget, Management & Finance Re: Unfilled Positions as 1/16/98

ITEM 49 - (Comm. 7E-7) Unfilled Vacant Positions 1/16/98.

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

FROM CHAIRMAN SWANICK

ITEM 50 - (Comm. 7E-8) Copy of Letter to Energy & Environment Committee Re: Reappointment of Mark Patton as Erie County Water Authority Commissioner.

Received & referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COMPTROLLER

ITEM 51 - (Comm. 7E-9)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 114 Re: Copy of Letter to Legislature
Re: Buffalo Bills Lease/Lease
Back Proposal

WHEREAS, the Erie County Comptroller has proposed an economically defeased lease/leaseback transaction of Rich Stadium as a possible alternative to raise funds to partially offset the County's new lease obligations pursuant to the proposed lease of the stadium to the Buffalo Bills, and

WHEREAS, in a letter dated February 9, 1998 Chairman Charles M. Swanick and Majority Leader Crystal D. Peoples requested a complete delineation of the lease/leaseback proposal in writing, and

WHEREAS, Hodgson Russ Andrews Woods & Goodyear requested

assistance in incorporating lease/leaseback language in the stadium lease and master lease of the County's football stadium, and

WHEREAS, a complete delineation of the lease/leaseback proposal requires extensive legal analysis, and

WHEREAS, the Legislature is committed to ensure that the Bills stay in Western New York, and

WHEREAS, there is sufficient funds in the Comptroller's Office dues and fees account to fund a contract for legal services, and

WHEREAS, due to the urgency of finalizing the lease negotiations, the Legislature and the Comptroller are of the opinion that a release of a RFP to obtain legal counsel would significantly delay the lease negotiations,

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature does hereby waive the request for proposal process required by Administrative Code Section 19.08, and does authorize the County Comptroller to enter into a contract with the law firm of O'Melveny and Myers at a cost not to exceed \$50,000 for the purpose of conducting legal analysis necessary to prepare a written report outlining the proposed lease/leaseback transaction and to provide legal assistance to Hodgson Russ Andrews Woods & Goodyear in the drafting of various stadium leases, and be it further

RESOLVED, that the source of funds for the contract for legal services is the Comptroller's Office Dues and Fees appropriations for 1998, SFG Account #110-914/120/821.

Chairman SWANICK granted permission of the floor to Comptroller Nancy Naples.

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

CARRIED

Legislator Holt abstained.

FROM LEGISLATOR DUSZA

ITEM 52 - (Comm. 7E-10)

Ms. PEOPLES moved for immediate consideration. Mr. KUWIK seconded.

CARRIED UNANIMOUSLY.

*RESOLUTION NO. 115 Re: Lease for Legislative Office
Space*

RESOLVED, that the Erie County Executive is hereby authorized to sign a Lease Agreement between BERNARD L. RUSINIAK, Sr., 2956 Union Road, Cheektowaga, NY 14227 and Erie County Legislator RAYMOND K. DUSZA for Legislative Office Space.

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

CARRIED.

Legislator Dusza abstained.

FROM THE COUNTY EXECUTIVE

ITEM 53 - (Comm. 7E-11)

Ms. PEOPLES moved for immediate consideration. Mr. HOLT seconded.

*RESOLUTION NO. 116 Re: Sheriff's Office - Personnel
Adjustment*

RESOLVED, that the position of Chief Deputy Sheriff is hereby reallocated from Job Group 14 to Job Group 16, and be it further

RESOLVED, that the Erie County Sheriff's Office is authorized to create the position of Executive Assistant - Public Relations, Job Group 10 and to delete the position of Chief of Investigative

Services, Job Group 14, and be it further

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

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

CARRIED UNANIMOUSLY.

FROM THE COUNTY EXECUTIVE

ITEM 54 - (Comm. 7E-12) Personnel - Staff Adjustment.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

ITEM 55 - (Comm. 7E-13) Traffic Safety - Grant Revision.

Received and referred to the PUBLIC SAFETY COMMITTEE.

ITEM 56 - (Comm. 7E-14) Authorizing County Attorney to Reimburse Town of Hamburg for Legal & Related Expenses Regarding Property Tax Assessments.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

ITEM 57 - (Comm. 7E-15)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 117 Re: Staffing Levels at Erie County Board of Elections

WHEREAS, to improve delivery of services to the people of Erie County, and reduce the long term cost of those services, the Erie County Board of Elections has installed an in-house, personal computer (PC) - based election/voter registration computer system, and

WHEREAS, on November 20, 1997, the Erie County Legislature authorized the Board of Elections to enter in a six-year contractual agreement with BRC to install the elections information systems, and

WHEREAS, conversion of the Erie County Voter File must include the imaging of nearly one (1) million records, and

WHEREAS, since 1990 the Erie County Board of Elections has reduced personnel levels by 28% from 72 to 52 workers, and

WHEREAS, during the same period of time more than 70,000 additional voter records were added to the file that must be maintained by the Erie County Board of Elections, and

WHEREAS, the installation of an in-house computer system will require the Board of Elections staff to perform those job functions that were formerly done by the employees of an outside vendor, and

WHEREAS, at the request of the Erie County Legislature, the Erie County Board of Elections agreed in the November 20, 1997 resolution to develop and maintain a voter history database available for public inspection and retrieval of records on or before March 31, 1999, and

WHEREAS, funds exist in the 1998 departmental budget of the Erie County Board of Elections to hire additional staff.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby finds and determines that there exists a need at the Erie County Board of Elections for additional staffing, and be it further

RESOLVED, that this Honorable Body does hereby authorize the elimination of two (2) positions of Senior Election Clerk, Job

Group 7, within Personal Services Budget of the Board of Elections, and be it further

RESOLVED, that the Erie County Legislature hereby authorizes that sum of \$225,000 be transferred from account number 830-Contractual Expense to account number 800-Personal Services within the 1998 Departmental Budget of the Board of Elections for the purpose of funding additional staff for the Board of Elections information systems improvement project, and be it further

RESOLVED, that this Honorable Body does hereby authorize the creation of two (2) positions of Chief Election Clerk Custodian, Job Group 9 within the Personal Services Budget of the Board of Elections, at a cost for the remainder of the 1998 fiscal year (20 pay periods), including salary and fringe benefits, of \$59,758, and be it further

RESOLVED, that this Honorable Body does hereby authorize the creation of ten (10) positions of Junior Election Clerk, Job Group 4 within the Personal Services Budget of the Board of Elections, at a cost for the remainder of the 1998 fiscal year (20 pay periods), including salary and fringe benefits, of \$212,373, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Budget and Management, the Commissioner of Personnel and the Commissioners of the Erie County Board of Elections.

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

CARRIED.

Legislator DeBenedetti in the negative.

FROM THE COUNTY EXECUTIVE

ITEM 58 - (Comm. 7E-16) SIRG 8 Grant New York State Department of Health.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

ITEM 59 - (Comm. 7E-17) Filling Vacant Positions

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

ITEM 60 - (Comm. 7E-18) Health - Public Health Laboratory Research Initiative Grant.

ITEM 61 - (Comm. 7E-19) Health - Dental Personnel Adjustment

ITEM 62 - (Comm. 7E-20) Health - Women's Health Services Program 1/1/98 - 3/31/99.

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

ITEM 63 - (Comm. 7E-21) ECSD No. 4 Bowmansville/Warner Road Pumping Stations Contract "B" Buffalo Sheet Metals, Inc. Contract Close-out..

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

ITEM 64 - (Comm. 7E-22) Health - Public Health Campaign Grant 4/1/98 - 3/31/99.

Received and referred to the HEALTH COMMITTEE.

ITEM 65 - (Comm. 7E-23) Engineering Service Agreement Legislative Comm. 20E-13 Work Project: PH-4 ECSD No. 1 Engineering Services During construction.

ITEM 66 - (Comm. 7E-24) ECSD No. 1 - Emergency Repair of Sanitary Sewer William Street & Cayga Creek Road, Town of Cheektowaga. Air Bond Act of 1996 Grant Agreement.

ITEM 67 - (Comm. 7E-25) ECSD No. 1 French Road Area Sewer Rehabilitation - Contract 19 Contract Award - Visone Construction.

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

ITEM 68 - (Comm. 7E-26)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 118 Re: Submission of Application & Contracts for a Subzone to Foreign Trade Zone #23 for Buffalo China

WHEREAS, the County of Erie has been authorized by the Foreign Trade Zone Board, United States Department of Commerce, to establish, operate and maintain a foreign trade zone with multiple subzones and sites, and

WHEREAS, it is recognized that there is a need for Buffalo China to have a subzone that covers its manufacturing and warehousing activity in Buffalo, and

WHEREAS, it is now necessary to apply for approval of a subzone to service Buffalo China's sites in Buffalo,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to apply to

the Foreign Trade Zone Board for the designation of a subzone for Buffalo China, and be it further

RESOLVED, that the County Executive is authorized to enter into agreements with the Foreign Trade Zone Board, the Erie County Industrial Development Agency and Buffalo China for the purpose of securing a subzone to the County's foreign trade zone, and be it further

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

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

CARRIED UNANIMOUSLY.

FROM THE COUNTY EXECUTIVE

ITEM 69 - (Comm.E-27) Erie County/Southtowns Sewerage Treatment Agency Engineering Agreement Close-Out Sludge Incinerator Compliance Services Project.

ITEM 70 - (Comm.E-28) ECSD No. 6 Fee Taking - SBL No. 777,00-49-1 SBL No. 144.68-4, City of Lackawanna.

ITEM 71 - (Comm.E-29) ECSD No, 2 Big Sister Sewage Treatment Plant Contract No. 36, Close-Out.

ITEM 72 - (Comm.E-30) Erie County/SouthTowns Sewage Treatment Agency NYSERDA Program Opportunity Notice 342-96 Wastewater Treatment Demonstration Grant.

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

ITEM 73 - (Comm.E-31) Additional Funding - the National Conference.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

ITEM 74 - (Comm.E-32) Senior Services - Authorization to Amend Four (4) Grant Budgets.

Received and referred to the SOCIAL SERVICES COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM ERIE COUNTY MORGUE

ITEM 75 - (Comm. 7D-1) Monies & Other Property Found on Deceased Persons.

FROM ERIE COUNTY MEDICAL CENTER

ITEM 76 - (Comm. 7D-2) Finance Committee Financial Statements for Year Ending 12/31/97.

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

FROM LAW

ITEM 77 - (Comm. 7D-3) Notice of County Executive's Public Hearing - Resolutions Nos. Comm. 5E-13, Int. 6-8, Int. 6-9, Int. 6-10, Int. 6-12 & Int. 6-13.

RECEIVE, FILE & PRINT.

Dear Ms. Manzella:

Enclosed herein is a copy of the Public Hearing Notice for the above captioned Resolutions Reference No. Comm. 5E-13, Int. 6-8,

Int. 6-9, Int. 6-10, Int. 6-12, Int. 6-13 which was adopted by the Erie County Legislature on March 5, 1998.

Please post for the information of anyone who may be interested in attending this hearing.

Very truly yours,
KENNETH A. SCHOETZ
Erie County Attorney
By: ALAN P. GERTSMAN
1st Assistant County Attorney

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT Erie County Executive Dennis T. Gorski, will hold a public hearing on Wednesday, March 18, 1998 at 10:00 a.m., concerning appropriaitons from the County contingency fund for the following purpose:

ERIE COUNTY VETERAN SERVICE/FOR MOVING WALL AT MT. CALVARY CEMETARY	\$5,000.00
BUFFALO & ERIE COUNTY BOTANICAL GARDEN SOCIETY	\$5,000.00
ERIE COUNTY DEPARTMENT OF PARKS, RECREATION & FORESTRY	\$8,000.00
SOUTH BUFFALO COMMUNITY ASSOCIATION	\$20,000.00
OLD FIRST WARD COMMUNITY CENTER	\$8,000.00
CAZENOVIA PARK HOCKEY ASSOCIATION	\$10,000.00
SOUTH BUFFALO SOCCER CLUB	\$5,000.00
SOUTH BUFFALO COMMUNITY TABLE, INC.	\$2,500.00
SOUTH BUFFALO FOOD PANTRY	\$2,500.00
VALLEY COMMUNITY ASSOCIATION	\$20,000.00
ADVISORY BOARD LOVEJOY ELDERLY & YOUTH	\$15,000.00

IRON ISLAND PRESS. SOC. OF LOVEJOY	\$2,500.00
SOUTH PARK YOUTH ASSOCIATION, INC.	\$2,500.00
SOUTH BUFFALO SHAMRICKS	\$5,000.00
CHOPIN SINGING SOCIETY	\$6,000.00
CHEEKTOWAGA LITTLE LOOP	\$1,000.00
BUFFALO GREEN FUND, INC.	\$15,000.00

The hearing will be held in the Erie County Executive's Conference Room on the 16th Floor of the Rath Building, 95 Franklin Street, in the City of Buffalo.

On March 5, 1998 the Erie County Legislature adopted Resolution Reference Numbers comm. 5E-13, Int. 6-8, Int. 6-9, Int. 6-10, Int. 6-12 and Int. 6-13 authorizing this action. Copies of the proposed resolutions are available for public inspection in the office of the Clerk of the Erie County Legislature, on the 7th Floor of 25 Delaware Avenue, in the City of Buffalo, New York.

DENNIS T. GORSKI
Erie County Executive

RECEIVED, FILED & PRINTED.

ITEM 78 - (Comm. 7D-4) Notices of Claim.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM ERIE COUNTY MEDICAL CENTER

ITEM 79 - (Comm. 7D-5) Notice of Meeting Held 3/12/98 & Minutes of Meeting Held 2/12/98.

Received and referred to the HEALTH COMMITTEE.

FROM DEP

ITEM 80 - (Comm. 7D-6) Copy of Letter to Legislators Swanick & Peoples RE: Comptroller's Lease\Lease Back Proposal.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM ERIE COMMUNITY COLLEGE

ITEM 81 - (Comm. 7D-7) Notices of Meeting to be Held 3/25/98.

ITEM 82 - (Comm. 7D-8) Notices of Meetings Held 3/17/98 & 3/19/98.

FROM BUFFALO & ERIE COUNTY PUBLIC LIBRARY

ITEM 83 - (Comm. 7D-9) Minutes of meeting Held 2/19/98 & 3/19/98.

The above three items were RECEIVED & FILED.

FROM LAW

ITEM 84 - (Comm. 7D-10) Notice of approval by County Executive of Resolutions Reference Nos. Int. 3-12, Int. 3-13, Int. 3-18, Int. 3-20 & Int. 3-21.

RECEIVE, FILE & PRINT.

A Public Hearing was held on the foregoing Erie County Resolution Reference Int. 3-12, on February 11, 1998 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County,

do hereby APPROVE and SIGN said Resolutions this 11th day of February, 1998.

DENNIS T. GORSKI

A Public Hearing was held on the foregoing Erie County Resolution Reference Int. 3-13, on February 11, 1998 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 11th day of February, 1998.

DENNIS T. GORSKI

A Public Hearing was held on the foregoing Erie County Resolution Reference Int. 3-18, on February 11, 1998 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 11th day of February, 1998.

DENNIS T. GORSKI

A Public Hearing was held on the foregoing Erie County Resolution Reference Int. 3-20, on February 11, 1998 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 11th day of February, 1998.

DENNIS T. GORSKI

A Public Hearing was held on the foregoing Erie County Resolution Reference In. 3-21, on February 11, 1998 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 11th day of February, 1998.

DENNIS T. GORSKI

RECEIVED, FILED & PRINTED.

ITEM 85 - (Comm.D-11) Notice of Approval by County Executive of Resolutions Reference Nos. Int. 5-13 & 5-16.

RECEIVE, FILE & PRINT.

Dear Ms. Manzella:

Enclosed herein are copies of the above Resolution for your files.

Please post for the information of anyone who may be interested in these Resolutions.

Very truly yours,
KENNETH A. SCHOETZ
Erie County Attorney
By: ALAN P. GERSTMAN
1st Assistant County Attorney

A Public Hearing was held on the foregoing Erie County Resolution Reference Int. 5-13, on Wednesday, March 4, 1998 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 4th day of March, 1998.

DENNIS T. GORSKI

A Public Hearing was held on the foregoing Erie County Resolution Reference Int. 5-16, on Wednesday, March 4, 1998 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 4th day of March, 1998.

DENNIS T. GORSKI

RECEIVED, FILED & PRINTED.

FROM ERIE COMMUNITY COLLEGE

ITEM 86 - (Comm. 7D-12) Notice of Meeting to Be Held 3/20/98.
RECEIVED & FILED.

FROM BUDGET, MANAGEMENT & FINANCE

ITEM 87 - (Comm. 7D-13) 1997 Budget Balancing.

ITEM 88 - (Comm. 7D-14) Copy of Letter to Legislature Re:
Commenting on Comptroller's Report on Unfilled Vacant Positions.

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

FROM DEP

ITEM 89 - (Comm. 7D-15) Contract Amendment - Rural Van
Transportation Service Program 1998-99.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM DPW

ITEM 90 - (Comm. 7D-16) ECC - North Campus Day Care Center.

ITEM 91 - (Comm. 7D-17) Buffalo Convention Center Phase V
Renovations - Architect, Supplemental Agreement.

ITEM 92 - (Comm. 7D-18) Erie County Central Storage Facility
at Existing Service Building.

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

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM NEW YORK COMPTROLLER

ITEM 93 - (Comm. 7M-1) Copy of Letter to Comptroller Re: Buffalo Bills Lease\Lease Back Proposal.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE WELLNESS INSTITUTE

ITEM 94 - (Comm. 7M-2) Minutes of Meeting Held 2.26/98 & Notice of Meeting to be Held 3/26/98.

Received and referred to the HEALTH COMMITTEE.

FROM WEST SENECA POLICE DEPARTMENT

ITEM 95 - (Comm. 7M-3) Second hand Dealer Legislation.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM NYSDEC

ITEM 96 - (Comm. 7M-4) 1996 Clean Water - Clean Air Bond Act Project Bulletin 1 Liberty Avenue Proposed Remedial Action Plan.

ITEM 97 - (Comm. 7M-5) 1997 Public Benefit Funding Final Report.

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

FROM MENTAL HYGIENE COMMUNITY SERVICES BOARD

ITEM 98 - (Comm. 7M-6) Notice of Meeting Held 3/19/98 & Minutes of Meeting Held 2/19/98.

Received and referred to the HEALTH COMMITTEE.

FROM THE ERIE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

ITEM 99 - (Comm. 7M-7) Notice of Meeting Held 3/17/98 & Minutes of Meeting Held 2/17/98.

FROM MELINDA HOLLAND CLEAN SITES

ITEM 100 - (Comm. 7M-8) Summary of meeting Held 2/17/98 - Revised & Notice of Meeting Held 3/4/98.

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

FROM THE STATE OF MICHIGAN GAMING LAW

ITEM 101 - (Comm. 7M-9) Overview of Gaming in Michigan.

ONTARIO CASINO CORP

ITEM 102 - (Comm. 7M-10) Operating Performance of Casino Windsor - May, 1995

FROM MICHIGAN GAMING CONTROL BOARD

ITEM 103 - (Comm. 7M-11) Overview of Casino Gaming in Michigan.

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

FROM THE NATIONAL INSTITUTE OF JUSTICE

ITEM 104 - (Comm. 7M-12) Program Focus - Managing Prison Growth in North Carolina Through Structured Sentencing.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE BUFFALO CITY CLERK'S OFFICE

ITEM 105 - (Comm. 7M-13) Certified Copy of Resolution RE: Accept Funds From Erie County.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM NYS ASSEMBLYMAN REYNOLDS

ITEM 106 - (Comm. 7M-14) Acknowledgement of Receipt of Resolution.

RECEIVED & FILED.

FROM BUFFALO & ERIE COUNTY PRIVATE INDUSTRY COUNCIL

ITEM 107 - (Comm. 7M-15) Financial Statements & Federal Awards for the Year Ended 6/30/97 & Independent Auditors' Report.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM BUFFALO NIAGARA INTERNATIONAL AIRPORT

ITEM 108 - (Comm. 7M-16) Copy of Letter to Chairman Swanick Re: Proposed Study to Update the Airside Portion of Master for Airport.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE TOWN OF MARILLA

ITEM 109 - (Comm. 7M-17) Copy of Resolution Re: Opposing Fire Hydrant Maintenance Fee Increases Imposed by Erie County Water Authority.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM DEPUTIES, MIDNIGHT SHIFT ERIE COUNTY HOUSING CENTER

ITEM 110 - (Comm. 7M-18) Copy of letter to Sheriff Re: Overtime.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM ERIE COUNTY WATER AUTHORITY

ITEM 111 - (Comm. 7M-19) Copy of Letter to Chairman Swanick Re: Legal Opinions Regarding Procedures to be Followed in Imposition of Collective Bargaining Agreement.

FROM NEW YORK STATE FISH & WILDLIFE MANAGEMENT BOARD

ITEM 112 - (Comm. 7M-20) Minutes of Meeting Held 3/5/98.

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

FROM DEPUTY STATE COMPTROLLER

ITEM 113 - (Comm.M-21) Copy of Letter to Comptroller Re: Buffalo Bills Lease\Lease Back Proposal.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM MARK PATTON

ITEM 114 - (Comm.M-22) Copy of Letter to Chairman Swanick Re: Seeking Reappointment to Board of Commissioners of Erie County Water Authority

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

MEMORIAL RESOLUTIONS:

ITEM 115 - Ms. PEOPLES moved that when this Legislature adjourns, it do so out of respect to the memory of Shaquanna Terese Jackson, deceased. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 116 - Mr. DUSZA moved that when this Legislature adjourns, it do so out of respect to the memory of John Dusza, deceased. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ADJOURNMENT:

ITEM 117 - 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, April 3, 1998. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, April 3, 1998 at 2:00 P.M., Eastern Standard Time.

*LAURIE A. MANZELLA
Clerk*