

ERIE COUNTY LEGISLATURE
MEETING NO. 10
May 20, 1999

The Legislature was called to order by Chairman Swanick.

All Members Present.

The Invocation was led by Rev. Cathy Stengel of the Harris Hill United Methodist Church.

The Pledge of Allegiance was led by Mr. Holt.

MS. PEOPLES moved to approve the minutes of Meeting 9 of 1999. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

The Chairman directed that the session enter into recess at 2:07 p.m. and public hearing called to order for Senior Citizen Real Property Tax Exemption.

May 7, 1999

To: All Erie County Legislators
From: Laurie A. Manzella, Clerk LAM
Subject: NOTICE OF PUBLIC HEARING - SR. CITIZEN TAX EXEMPTION

At Meeting No. 8 (April 29, 1999), the Erie County Legislature approved Intro. 8-4. The resolution directed that a Public Hearing be held on the proposal to increase the maximum income eligibility level for a **Senior Citizen Real Property Tax Exemption**. A copy of the certified resolution is attached for your information.

In accordance with that resolution, please be advised that a Notice of Public Hearing will be duly advertised and the details are as follows:

Thursday, May 20, 1999
2:00 p.m.*
Legislative Chambers

* As he has done on other occasions, Chairman Swanick will conduct this Public Hearing at the beginning of Session on that day.

ATTACHMENT - 1

c: Legislative Staff

CHAIRMAN SWANICK declared the public hearing closed and the session reconvened at 2:09 p.m.

MISCELLANEOUS RESOLUTIONS

Item 1 – MR. LARSON presented a resolution Honoring the Marilla Veterans Club as it Celebrates its 50th Anniversary. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 2 – MR. WEINSTEIN presented a resolution Honoring Andrew Ross Ballow as he Earns the Eagle Scout Award. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

Item 3 – MS. CHASE presented a resolution Congratulating Mary Stelley As She is Named President of the Business & Professional Women's Association. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

Item 4 – MR. HOLT presented a resolution Honoring Al-Nisa Banks for 20 Years of Service with "The Challenger." MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 5 – MR. SWANICK presented a resolution Recognizing "Clean Commute Day" in Erie County & Honoring the Citizens Rapid Transit Committee. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 6 - CHAIRMAN SWANICK directed that Local Law Intro No. 1 (Print #1) 1998 remain on the table and in the HEALTH COMMITTEE.

Item 7 – MRS. FISHER moved that Local Law Intro No. 3 (Print #1) 1999 be received and filed. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 8 – MS. PEOPLES moved that Local Law Intro No. 4 (Print #1) 1999 be received and filed. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

Item 9 – CHAIRMAN SWANICK directed that Local Law Intro No. 4 (Print #2) 1999 remain on the table.

COMMITTEE REPORTS

Item 10 – MR. KUWIK presented the following and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 168

May 11, 1999

PUBLIC SAFETY
COMMITTEE
REPORT NO. 5

ALL MEMBERS PRESENT.

AS AMENDED

1. Item Page - 1999 (Intro. 6-1)
**LEGISLATORS CHASE, GREENAN, LARSON, RANZENHOFER, WEINSTEIN,
MARSHALL, DeBENEDETTI, DUSZA, HOLT, FISHER, FITZPATRICK, KUWIK,
MARINELLI, OLMA, PEOPLES, and SWANICK.**

WHEREAS, DWI and DWAI are serious offenses in the State of New York and in many cases the results of these actions result in a tragedy, and

WHEREAS, many times when accidents occur, no matter how tragic, the offender can walk away from a scene or hospital with minor physical injuries and if arrested, go to court, pay a fine or bail bond and return to their lives, and

WHEREAS, presently, no mandatory jail time is required for a crime which could disable someone for life or end a life, and

WHEREAS, legislation has been introduced in the New York State Senate (Senate Bill S.3027) to amend the Criminal and Procedure Law and the Vehicle and Traffic Law to allow a city, town or village court to deny bail to any DWI/DWAI offender who has caused serious physical injury or death to another person, and

NOW, THEREFORE, BE IT

RESOLVED, The Erie County Legislature understands how serious a DWI/DWAI offense is, and be it further

RESOLVED, That this Honorable Body does hereby memorialize the New York State Legislature to pass and Governor Pataki to sign into law S.3027 as a way to allow proper

punishment of those who commit acts of DWI/DWAI and cause serious harm to others, and be it further

RESOLVED, That a certified copy of this resolution be forwarded to Governor George Pataki and all the Western New York delegation.

(5-0)

AS AMENDED

2. Item Page - 1999 (Intro. 6-2)
LEGISLATORS CHASE, GREENAN, LARSON, RANZENHOFER, WEINSTEIN, MARSHALL, DeBENEDETTI, DUSZA, HOLT, FISHER, FITZPATRICK, KUWIK, MARINELLI, OLMA, PEOPLES, and SWANICK.

WHEREAS, too many individuals lose their lives to DWI accidents, and

WHEREAS, legislation has been introduced in the New York State Senate (Senate Bill S.2057) to memorialize these innocent victims of drunk drivers by installing signs near their crash sites, and

WHEREAS, the proposed signs would list the name of an individual(s) killed in an alcohol-related motor vehicle accident and will include a specific anti-DWI message, and

WHEREAS, these signs must be requested by the family of the victim(s) and will bear a cost to the sponsoring family/individual of \$100, and

NOW, THEREFORE, BE IT

RESOLVED, The Erie County Legislature believes that it is important to remember those victims who innocently lost their lives due to another's negligence driving while intoxicated, and be it further

RESOLVED, That this Honorable Body does hereby memorialize the New York State Legislature to pass and Governor Pataki to sign into law S.2057 as a way of remembering innocent victims and as a means of education regarding the risks and ultimate costs associated with drinking and driving, and be it further

RESOLVED, That a certified copy of this resolution be forwarded to Governor George Pataki and all the Western New York delegation.

(5-0)

AS AMENDED

3. Item Page - 1999 (Intro. 6-3)
LEGISLATORS CHASE, GREENAN, LARSON, RANZENHOFER, WEINSTEIN, MARSHALL, DeBENEDETTI, DUSZA, HOLT, FISHER, FITZPATRICK, KUWIK, MARINELLI, OLMA, PEOPLES, and SWANICK.

WHEREAS, New York State currently has a provision prohibiting plea bargaining to a non-alcohol offense for offenders charged with DWI, and

WHEREAS, this provision has been successful in accurately reflecting alcohol related offenses, and

WHEREAS, plea bargaining could further be curtailed for certain repeat offenders since, under current law offenders may continually plead DWAI from a DWI charge and to non-alcohol related offenses from a DWAI charge, and

WHEREAS, an individual previously charged with a DWAI but who was allowed to plead guilty to a non-alcohol related charge, would not be identified or punished as a repeat offender, and

WHEREAS, legislation has been introduced in the New York State Senate (Senate Bill S. 1432) to close the existing "loopholes" in the law by precluding plea bargaining from DWI to DWAI and from DWAI to a non-alcohol offense for offenders with previous DWI or DWAI conviction within ten years,

NOW, THEREFORE BE IT

RESOLVED, The Erie County Legislature believes that it is important to be able to accurately track individuals with previous alcohol related offenses, and be it further

RESOLVED, That this Honorable Body does hereby memorialize the New York State Legislature to pass and Governor Pataki to sign into law S.1432 as a way of making sure those with repeat alcohol offenses are identified and punished accordingly, and be it further

RESOLVED, That a certified copy of this resolution be forwarded to Governor George Pataki and all the Western New York delegation.

(5-0)

AS AMENDED

4. Item Page - 1999 (Intro. 6-4)

LEGISLATORS CHASE, GREENAN, LARSON, RANZENHOFER, WEINSTEIN, MARSHALL, DeBENEDETTI, DUSZA, HOLT, FISHER, FITZPATRICK, KUWIK, MARINELLI, OLMA, PEOPLES, and SWANICK.

WHEREAS, current law permits a claiming authority to seek the civil forfeiture of the instrumentality of a crime, and

WHEREAS, legislation has been introduced in the New York State Senate (Senate Bill S.384) to amend the Civil Practice Law & Rules Section 1310 to explicitly include a motor vehicle as the "instrumentality of a crime" when the crime charged is driving while intoxicated, and

WHEREAS, in addition S.384 requires prosecutors to initiate civil forfeiture proceedings against drivers charged with a third felony-level DWI offense within the preceding 5 years; in other words, it creates a "three strikes and you're out" law for drunk drivers,

NOW, THEREFORE, BE IT

RESOLVED, The Erie County Legislature believes that it is important to have strict laws for those who commit acts of driving while intoxicated, and be it further

RESOLVED, That this Honorable Body does hereby memorialize the New York State Legislature to pass and Governor Pataki to sign into law S.384 as a way of giving prosecutors the option of civil forfeiture for problem drunk drivers, and be it further

RESOLVED, That a certified copy of this resolution be forwarded to Governor George Pataki and all the Western New York delegation.

(5-0)

5. Item Page - 1999 (Comm. 8E-13)

COUNTY EXECUTIVE

WHEREAS, the Office of Court Administration and the Erie County Sheriff's Office are requesting the addition of two (2) Deputy Sheriff Officers, Job Group VIII for the Unified Court Security detail, and

WHEREAS, funding for these positions is made available through the Office of Court Administration for the Unified Court Security Grant.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriffs Office be authorized to create two positions of Deputy Sheriff Officer, Job Group VIII, and be it further

RESOLVED, that the following budgetary transactions are hereby authorized:

UNIFIED COURT SECURITY GRANT - PROJECT #202
4/01/99 - 3/31/00

REVENUE

SFG Acct.

627 - State Aid Revenues	\$ 122,508
Total Revenue	\$ 122,508

APPROPRIATION

SFG Acct

800	Personal Services	\$92,054
801	Overtime	5,523
805	Fringe Benefits	<u>24,931</u>
Total Appropriation		\$ 122,508

and be it further

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

(5-0)

6. Item Page - 1999 (Comm. 8E-14)

COUNTY EXECUTIVE

RESOLVED, that authorization is hereby provided for the County Executive to amend the current 1999 contract with the Legal Aid Bureau in order to fund a public defender in the Domestic Violence Court of Buffalo City Court, and be it further

RESOLVED, that funding for this request shall be established as follows, the annual budget for Account 304, Payments in Lieu of Taxes having been realized,

Revenue	Original Budget	Increase	Adjusted Budget
Dept. 310 County-Wide Account Acct. 304 - Payments in Lieu of Taxes	\$4,450,000	\$33,560	\$4,483,560
Appropriation	Original Budget	Increase	Adjusted Budget
Department of Law Acct. 830-0100 Contractual-Legal Aid	\$1,866,912	\$33,560	\$1,900,472

and be it further,

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

(5-0)

7. Item Page - 1999 (Comm. 9E-6)

COUNTY EXECUTIVE

RESOLVED, that the Public Safety Committee does hereby recommend that the full Legislature confirm the appointment of Mr. Kevin Comerford of Hamburg, New York as Commissioner of Central Police Services.

(5-0)

**CHAIRMAN
EDWARD J. KUWIK**

MR. KUWIK moved to separate item #7 and approve the balance of the report. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MR. KUWIK moved to amend item #7. MS. PEOPLES seconded.

ADD the following WHEREAS clauses:

WHEREAS, in the 1999 Adopted Erie County Budget, Department of Central Police Services, there is a position of Commissioner-Central Police Services, Job Group XVIII, Position #93000, and

WHEREAS, this is an Unclassified Class position responsible for providing direction of the Central Police Services Department, and

WHEREAS, in order to recruit a qualified candidate for this vital position, the County Executive and the Commissioner of Personnel are recommending the establishment of a variable minimum hiring step of Job Group XVIII, Step III, and

WHEREAS, sufficient funds are available in the Department's salary account and no additional funds will be necessary,

ADD the following RESOLVED clauses:

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of Kevin Comerford, of Hamburg, New York, as Commissioner of Central Police Services, and be it further

RESOLVED, that effective May 17, 1999, a variable minimum hiring rate of Job Group XVIII, Step III, \$79,523, be established for the title of Commissioner-Central Police Services, and be it further

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

CARRIED.

MR. KUWIK moved to approve the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 11 - MR. DUSZA presented the following and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 169

May 11, 1999

GOVERNMENT AFFAIRS
COMMITTEE
REPORT NO. 6

ALL MEMBERS PRESENT.

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

a. Item Page -1999 (Comm. 8E-2)
COUNTY EXECUTIVE: Position Change Report PP#9.
(5-0)

b. Item Page -1999 (Comm. 8M-12)
OTB: Minutes of Board of Directors Meeting Held 3/24/99 & 3/25/99.

2. Resolved, that the following item is hereby received, filed and referred to the Public Safety Committee.

a. Item Page -1999 (Comm. 8D-4)
ERIE COUNTY AUTO BUREAU: Security Survey.
(5-0)

3. Item Page - 1999 **AS AMENDED**
(Intro. 7-12)
**LEGISLATORS WEINSTEIN, CHASE, MARSHALL & RANZENHOFER,
DUSZA, HOLT, KUWIK, MARINELLI, DEBENEDETTI, FISHER, and
GREENAN.**

WHEREAS, banks are encouraging their customers to use Automated Teller Machines and less personal teller services, and

WHEREAS, generally, banks do not charge an ATM fee to its own customers; however, if the customer uses an ATM owned by one of its competitors or an independently owned ATM there is an "off us" fee charged to the customer, and

WHEREAS, then the user is also charged a fee by the owner of the ATM machine for each transaction conducted, and

WHEREAS, almost eight of every ten ATM's throughout New York State now imposes a fee to customers for every transaction, and

WHEREAS, in a recently published NYPRIG survey, the group found that the fees charged to customers in the Western New York area are the highest in the state, averaging \$1.50 per transaction, and

WHEREAS, Assembly Bill A.84 would limit the amount that ATM owners may charge customers who use their machines.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature is opposed to the high ATM fees charged to customers in Erie County, and be it further

RESOLVED, that the Erie County Legislature does hereby call upon the New York State Assembly and senate to pass and Govern Pataki to sign into law Assembly Bill A. 84, creating a maximum ATM fee that banks and independent ATM owners can charge users, and be it further

RESOLVED, that implementation of this law would reduce the cost of banking to Erie County consumers, and be it further

RESOLVED, that a copy of New York State Bill A00084 has been attached to the original communication, and be it further,

RESOLVED, that a certified copy be sent to the Western New York delegation to the state legislature and to Governor George Pataki.

(5-0).

RAYMOND K. DUSZA
CHAIRMAN

MR. DUSZA moved to separate item #3 and approve the balance of the report. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MR. DUSZA moved to amend item #3 to include et al sponsorship. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MR. KUWIK moved to approve the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 12 - MR. OLMA presented the following and moved for immediate consideration.
MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 170

May 11, 1999

ENERGY & ENVIRONMENT
COMMITTEE
REPORT NO. 6

ALL MEMBERS PRESENT.

1. Item Page - 1999 (Comm. 6E-12)

COUNTY EXECUTIVE

RESOLVED, that the County Executive is hereby authorized to execute a contract of sale, intermunicipal agreement and all other necessary agreements with the City of Buffalo as pertains to title transfer and subsequent maintenance of Tow Path Park, and be it further

RESOLVED, that said agreement shall include language reverting ownership of said Park to the City of Buffalo should the County cease operating the parcel as a public park, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of the Division of Budget, Management and Finance, the Commissioner of the Department of Environment and Planning, the Commissioner of the Department of Parks, Recreation and Forestry, the Comptroller, and the County Attorney.

(5-0).

2. Item Page - 1999 (Comm. 8E-22)

COUNTY EXECUTIVE

RESOLVED, that the Erie County Executive is hereby authorized to execute an amendatory agreement with Rural Transit Service, Inc. (RTS) increasing the authorized contract amount from \$325,500 to \$448,500 for the purpose of operating the Southtowns Rural Transit Service Van Program through May 31, 2000, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Budget and Management, the Comptroller and the Commissioner of Environment and Planning.

(5-0).

3. Item Page - 1999 (Comm. 9E-5)

COUNTY EXECUTIVE

RESOLVED, that the County of Erie is hereby authorized to purchase SBL Nos. 113-19-2-7 and 113.19-2-8 consisting of 2.456± acres for the purpose of expanding the open space preserve adjacent to the Overflow Retention Facility on Cayuga Creek Road in the Town of Cheektowaga for an amount not to exceed \$30,000.00; and be it further

RESOLVED, that the source of said funds shall be the appropriation of \$30,000 in unanticipated revenues in DAC Code 110923310304, Payments in Lieu of Taxes, in Countywide Undistributed Monitored by Budget, the annual budget for this account having been realized; the sum of \$30,000 is hereby appropriated to DAC Code 110945620830, Contractual Services, in the Budget of the Department of Environment and Planning, and be it further

RESOLVED, that the existing lease agreement between Erie County and the Town of Cheektowaga be amended to include SBL Nos. 113.19-2-7 and 113.19-2-8 for use by the Town of Cheektowaga as an open space preserve; and be it further

RESOLVED, that certified copies of this resolution be sent to the Commissioner of the Department of Environment and Planning, to the County Attorney, Director of the Division of Budget, Management and Finance, the County Comptroller, and to the Town Clerk of the Town of Cheektowaga. (5-0).

GREGORY OLMA
CHAIRMAN

MR. OLMA moved the adoption. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 13 – MS. MARINELLI presented the following and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 171

May 13, 1999

COMMUNITY ENRICHMENT
COMMITTEE
REPORT NO. 6

ALL MEMBERS PRESENT.

ALL ITEMS ARE HEREBY TABLED.

LYNN M. MARINELLI
CHAIRPERSON

MS. MARINELLI moved the adoption. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 14 - MS. PEOPLES presented the following and moved for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 172

May 13, 1999

FINANCE & MANAGEMENT
COMMITTEE
REPORT NO. 5

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

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

a. Item Page -1998 (Comm. 9M-25)
INSTITUTE FOR LOCAL GOVERNANCE & REGIONAL GROWTH SUNY AT BUFFALO: Municipal Cooperative Agreements in WNY Survey Findings Program, Round 1 3/98
(5-0) Chairman Swanick Present as Ex-Officio Member. Legislator Fitzpatrick absent.

b. Item Page -1998 (Comm. 9M-26)
INSTITUTE FOR LOCAL GOVERNANCE & REGIONAL GROWTH SUNY AT BUFFALO: Outcomes: 1996-97 Municipal-School District Collaboration Program, Round 1 3/98.
(5-0) Chairman Swanick Present as Ex-Officio Member. Legislator Fitzpatrick absent.

c. Item Page -1998 (Comm. 16M-10)
COUNTY MUNICIPAL REGIONALISM COMMITTEE: Report to the Erie County Legislature 7/1/98
(5-0) Chairman Swanick Present as Ex-Officio Member. Legislator Fitzpatrick absent.

d. Item Page -1999 (Comm. 6E-1)
COMPTROLLER: Review of the Placement & Use of Vending Machines on County Property
(4-0) Legislator Fitzpatrick absent.

e. Item Page -1999 (Comm. 7E-4)
COMPTROLLER: DEP Community Development Fund 1/1/97 - 12/97
(4-0) Legislator Fitzpatrick absent.

f. Item Page -1999 (Comm. 8D-7)
DEP: Audit Response
(4-0) Legislator Fitzpatrick absent.

2. Item Page - 1999 **AS AMENDED**
(Comm. 1D-15A)

BUDGET, MANAGEMENT & FINANCE

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

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

RESOLVED, that petitions numbered 981030 through 981032 inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and / or Cities.

Petition No. 981030 / 1996 - ASSESSOR - Refund - \$126.54

SBL No. 210.00-3-23 - TOWN OF BOSTON

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 126.54 - Town/SpecialDist/School

Charge to : TOWN OF BOSTON 126.54

DENIAL - REQUEST TO REFUND IS BEING DENIED. THE TIME FRAME TO PETITION TO REFUND HAS EXPIRED. REQUEST WAS FILED ON MARCH 5, 1999 AND WOULD HAVE HAD TO BEEN IN OUR OFFICE BY FEBRUARY 14, 1999. RPTL 556 CHECK IN FAVOR OF; KELLY GIRARD

Petition No. 981031 / 1999 - ASSESSOR - Cancel - \$180.97

SBL No. 269.00-3-27./A - TOWN OF BRANT

Acct. No. 112 - \$ 103.55 - County

Acct. No. 132 - \$ 77.42 - Town/SpecialDist/School

Charge to : TOWN OF BRANT 59.35
BRANT FIRE PROTECTION 18.07

DENIAL - REQUEST TO CANCEL TAXES IS DENIED. PROPERTY WAS ACQUIRED AFTER TAXABLE STATUS DATE OF JUNE 1,1998. ELIGIBILITY FOR THE EXEMPTION

MUST BE APPLIED BEFORE TAXABLE STATUS DATE. ACQUISTION WAS AUGUST,1998
RPTL 302. PROPERTY IS OWNED BY THS SACRED HEART OF MARY CHURCH.

Petition No. 981032 / 1999 - ASSESSOR - Cancel - \$529.66

SBL No. 269.00-3-27 - TOWN OF BRANT

Acct. No. 112 - \$ 303.07 - County

Acct. No. 132 - \$ 226.59 - Town/SpecialDist/School

Charge to : TOWN OF BRANT		173.71
BRANT FIRE PROTECTION	52.88	

DENIAL - REQUEST TO CANCEL TAXES IS DENIED. PARCEL WAS ACQUIRED AFTER

TAXABLE STATUS DATE OF JUNE 1,1998. ELIGIBILTY FOR THE EXEMPTION MUST BE APPLIED BEFORE JUNE 1,1998. ACQUISTION WAS IN AUGUST,1998. RPTL 302 PROPERTY IS OWNED BY SACRED HEART OF MARY CHURCH.

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

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

RESOLVED, that petitions numbered 980980 through 981029 inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and / or Cities.

Petition No. 980980 / 1999 - ASSESSOR - Cancel - \$133.23

SBL No. 122.31-3-1 - CITY OF BUFFALO

Acct. No. 112 - \$ 133.23 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :
CANCEL - ERROR IN ESSENTIAL FACT, THE ASSESSMENT WAS 20,900 LOWERED

TO 1,600 DUE TO THE REMOVAL OF THE STRUCTURE PRIOR TO DECEMBER
1,1997
TAXABLE STATUS DATE. RPTL 550(3)A.

Petition No. 980981 / 9899 - ASSESSOR - Refund - \$325.52

SBL No. 67.47-11-16 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 325.52 - Town/SpecialDist/School

Charge to : SWEET HOME CENTRAL 325.52

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF
27,750 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE
TAX ROLL. RPTL 550(2)C.
CHECK IN FAVOR OF: GLORIA M PERSCH

Petition No. 980982 / 9899 - ASSESSOR - Refund - \$859.32

SBL No. 68.10-7-18 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 859.32 - Town/SpecialDist/School

Charge to : AMHERST CENTRAL 859.32

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF
31,500
THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX
ROLL. RPTL 550(2)C.
CHECK IN FAVOR OF: MARTHA E CLOTHER

Petition No. 980983 / 1999 - ASSESSOR - Cancel - \$418.74

SBL No. 68.10-7-18 - TOWN OF AMHERST

Acct. No. 112 - \$ 261.71 - County

Acct. No. 132 - \$ 157.03 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 157.03

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 26,964

THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: MARTHA E CLOTHER

Petition No. 980984 / 1999 - ASSESSOR - Refund - \$136.26

SBL No. 199.03-2-24 - TOWN OF AURORA

Acct. No. 112 - \$ 108.11 - County

Acct. No. 132 - \$ 28.15 - Town/SpecialDist/School

Charge to : TOWN OF AURORA 28.15

REFUND - CLERICAL ERROR, THE RPTL 520 THAT WAS PLACED ON THE 1999 TAX BILL WAS MISCALCULATED. THIS INCLUDED AN AMOUNT FOR AN EXEMPTION THAT

WAS NOT ON THE 1997 TAX BILL. RPTL 550(2)E.

CHECK IN FAVOR OF: JEROME & LINDA MURRAY

Petition No. 980985 / 1997 - ASSESSOR - Refund - \$117.00

SBL No. 210.00-3-23 - TOWN OF BOSTON

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 117.00 - Town/SpecialDist/School

Charge to : TOWN OF BOSTON 117.00

REFUND - CLERICAL ERROR, THE GALLONAGE USED TO DETERMINE THE WATER

TAX WAS INCORRECT. THE GALLONAGE FIGURE USED WAS 130 AND SHOULD BE 13.

RPTL 550(2)E.

CHECK IN FAVOR OF: KELLY GIRARD

Petition No. 980986 / 1998 - ASSESSOR - Refund - \$117.00

SBL No. 210.00-3-23 - TOWN OF BOSTON

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 117.00 - Town/SpecialDist/School

Charge to : TOWN OF BOSTON 117.00

REFUND - CLERICAL ERROR, THE GALLONAGE FIGURE USED TO DETERMINE THE WATER TAX WAS INCORRECT. THE FIGURE USED WAS 130. AND SHOULD BE 13. RPTL 550(2)E.
CHECK IN FAVOR OF: KELLY GIRARD

Petition No. 980987 / 1999 - ASSESSOR - Refund - \$117.00

SBL No. 210.00-3-23 - TOWN OF BOSTON

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 117.00 - Town/SpecialDist/School

Charge to : TOWN OF BOSTON 117.00

REFUND - CLERICAL ERROR , THE GALLONAGE FIGURE USED TO DETERMINE THE WATER TAX WAS INCORRECT. THE GALLONAGE FIGURE USED WAS 130 AND SHOULD BE 13. RPTL 550(2)E.
CHECK IN FAVOR OF: KELLY GIRARD

Petition No. 980988 / 1999 - ASSESSOR - Cancel - \$169.81

SBL No. 211.00-3-1.2 - TOWN OF BOSTON

Acct. No. 112 - \$ 127.89 - County

Acct. No. 132 - \$ 41.92 - Town/SpecialDist/School

Charge to : TOWN OF BOSTON 41.92

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 13,941 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 980989 / 1999 - ASSESSOR - Cancel - \$40.27

SBL No. 211.00-3-25.11 - TOWN OF BOSTON

Acct. No. 112 - \$ 24.78 - County

Acct. No. 132 - \$ 15.49 - Town/SpecialDist/School

Charge to : TOWN OF BOSTON		8.97
BOSTON FIRE PROTECTION	5.27	
EC#3 BOSTON VALLEY	1.25	

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 19,900 AND SHOULD BE 17,200. RPTL 550(2)A.

Petition No. 980990 / 1999 - ASSESSOR - Cancel - \$26,550.49

SBL No. 211.00-5-27.2 - TOWN OF BOSTON

Acct. No. 112 - \$ 8,342.67 - County

Acct. No. 132 - \$ 18,207.82 - Town/SpecialDist/School

Charge to : TOWN OF BOSTON		2,182.98
HAMBURG CENTRAL	16,024.84	

CANCEL - CLERICAL ERROR, THE IDA EXEMPTION THAT COVERS THIS PARCEL WAS OMITTED IN ERROR FROM THE TAX ROLL. THE TAXES ARE COVERED UNDER A PILOT AGREEMENT. RPTL 550(2)C.

Petition No. 980991 / 1999 - ASSESSOR - Cancel - \$771.36

SBL No. 212.00-2-40.1 - TOWN OF BOSTON

Acct. No. 112 - \$ 489.86 - County

Acct. No. 132 - \$ 281.50 - Town/SpecialDist/School

Charge to : TOWN OF BOSTON		177.34
BOSTON FIRE PROTECTION	104.16	

CANCEL - CLERICAL ERROR, THE ASSESSMENT WAS ENTERED INCORRECTLY

ON THIS PARCEL, THE ASSESSED VALUE WAS 89,100 AND SHOULD BE 35,700.
RPTL 550(2)A.

Petition No. 980992 / 1999 - ASSESSOR - Cancel - \$336.92

SBL No. 226.00-1-45.11 - TOWN OF BOSTON

Acct. No. 112 - \$ 207.33 - County

Acct. No. 132 - \$ 129.59 - Town/SpecialDist/School

Charge to : TOWN OF BOSTON		75.06
BOSTON FIRE PROTECTION	44.09	
EC#3 BOSTON VALLEY	10.44	

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED
INCORRECTLY
ON THE TAX ROLL. THE ASSESSMENT WAS 138,900 AND SHOULD BE 116,300.
RPTL 550(2)A.

Petition No. 980993 / 1999 - ASSESSOR - Cancel - \$21.66

SBL No. 227.00-4-28.11 - TOWN OF BOSTON

Acct. No. 112 - \$ 13.75 - County

Acct. No. 132 - \$ 7.91 - Town/SpecialDist/School

Charge to : TOWN OF BOSTON		4.98
BOSTON FIRE PROTECTION	2.93	

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED
INCORRECTLY
ON THE TAX MAP. THE ASSESSMENT WAS 126,500 AND SHOULD BE 125,000.
RPTL 550(2)A.

Petition No. 980994 / 1999 - ASSESSOR - Cancel - \$450.25

SBL No. 257.00-3-14 - TOWN OF BOSTON

Acct. No. 112 - \$ 203.46 - County

Acct. No. 132 - \$ 246.79 - Town/SpecialDist/School

May 20, 1999ERIE COUNTY LEGISLATURE

Charge to : TOWN OF BOSTON		144.19
BOSTON FIRE PROTECTION	102.60	

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 67,600 AND SHOULD BE 15,000. RPTL 550(2)A.

Petition No. 980995 / 1999 - ASSESSOR - Cancel - \$560.01

SBL No. 258.00-1-20.1 - TOWN OF BOSTON

Acct. No. 112 - \$ 177.33 - County

Acct. No. 132 - \$ 382.68 - Town/SpecialDist/School

Charge to : TOWN OF BOSTON		60.19
SPRING-GRIFFITH	291.28	
BOSTON FIRE PROTECTION	31.21	

CANCEL - CLERICAL ERROR, THE ASSESSMENT WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 175,000 AND SHOULD BE 159,000. RPTL 550(2)A.

Petition No. 980996 / 1999 - ASSESSOR - Cancel - \$310.38

SBL No. 258.09-1-9.1 - TOWN OF BOSTON

Acct. No. 112 - \$ 220.17 - County

Acct. No. 132 - \$ 90.21 - Town/SpecialDist/School

Charge to : TOWN OF BOSTON		90.21
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CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 30,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 980997 / 1999 - ASSESSOR - Refund - \$121.80

SBL No. 266.18-1-27 - TOWN OF BRANT

Acct. No. 112 - \$ 65.42 - County

Acct. No. 132 - \$ 56.38 - Town/SpecialDist/School

Charge to : TOWN OF BRANT 56.38

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 8,025 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.
CHECK IN FAVOR OF: CHRISTIAN & EMILY MILITELLO

Petition No. 980998 / 9899 - ASSESSOR - Refund - \$85.34

SBL No. 266.18-1-27 - TOWN OF BRANT

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 85.34 - Town/SpecialDist/School

Charge to : VILLAGE OF FARNHAM 85.34

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 8,025 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.
CHECK IN FAVOR OF: CHRISTIAN & EMILY MILITELLO

Petition No. 980999 / 1999 - ASSESSOR - Refund - \$102.82

SBL No. 266.18-1-27 - TOWN OF BRANT

Acct. No. 112 - \$ 67.57 - County

Acct. No. 132 - \$ 35.25 - Town/SpecialDist/School

Charge to : TOWN OF BRANT 35.25

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 8,025 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.
CHECK IN FAVOR OF: CHRISTIAN J & EMILY MILITELLO

Petition No. 981000 / 1899 - ASSESSOR - Cancel - \$586.26

SBL No. 266.18-2-49 - TOWN OF BRANT

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 586.26 - Town/SpecialDist/School

Charge to : VILLAGE OF FARNHAM 586.26

CANCEL - CLERICAL ERROR, THE RELEVY VILLAGE WAS PREVIOUSLY PAID TO THE VILLAGE OF FARNHAM ON OCTOBER 27,1998. RPTL 550(2)H

PETITION NUMBER 981000 CONTINUED

Petition No. 981001 / 1999 - ASSESSOR - Cancel - \$389.42

SBL No. 269.00-1-5 - TOWN OF BRANT

Acct. No. 112 - \$ 255.92 - County

Acct. No. 132 - \$ 133.50 - Town/SpecialDist/School

Charge to : TOWN OF BRANT 133.50

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 30,400 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 981002 / 9899 - ASSESSOR - Refund - \$569.99

SBL No. 281.06-1-67 - TOWN OF BRANT

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 569.99 - Town/SpecialDist/School

Charge to : LAKE SHORE CENTRAL 569.99

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 75,500 AND SHOULD BE 45,500. RPTL 550(2)A.
CHECK IN FAVOR OF: NORMA E MURPHY

Petition No. 981003 / 1999 - ASSESSOR - Refund - \$719.40

SBL No. 281.06-1-67 - TOWN OF BRANT

Acct. No. 112 - \$ 256.76 - County

Acct. No. 132 - \$ 462.64 - Town/SpecialDist/School

Charge to : TOWN OF BRANT		417.84
BRANT FIRE PROTECTION	44.80	

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED
INCORRECTLY
ON THE TAX ROLL. THE ASSESSMENT WAS 75,500 AND SHOULD BE 45,000.
RPTL 550(2)A.
CHECK IN FAVOR OF: NORMA E MURPHY

Petition No. 981004 / 1999 - ASSESSOR - Cancel - \$3.64

SBL No. 124.02-3-12.2 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 3.64 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 1	3.64	
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CANCEL - CLERICAL ERROR, PARCEL IS OWNED BY ERIE COUNTY SEWER DIST
#1.
ERIE COUNTY SEWER DISTRICT TAX IN ERROR. RPTL 550(2)E.

Petition No. 981005 / 1999 - ASSESSOR - Cancel - \$630.28

SBL No. 291.00-1-31 - TOWN OF CONCORD

Acct. No. 112 - \$ 363.38 - County

Acct. No. 132 - \$ 266.90 - Town/SpecialDist/School

Charge to : TOWN OF CONCORD		195.16
CONCORD FIRE PROTECT	71.74	

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED
INCORRECTLY
ON THE TAX ROLL. THE ASSESSMENT WAS 157,400 AND SHOULD BE 123,100.
RPTL 550(2)A.

Petition No. 981006 / 1999 - ASSESSOR - Refund - \$132.30

SBL No. 308.00-2-6.11 - TOWN OF CONCORD

Acct. No. 112 - \$ 76.27 - County

Acct. No. 132 - \$ 56.03 - Town/SpecialDist/School

Charge to : TOWN OF CONCORD		40.97
CONCORD FIRE PROTECT	15.06	

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 27,900 AND SHOULD BE 20,700. RPTL 550(2)A.
CHECK IN FAVOR OF: SHIRLEY R PERKINS

Petition No. 981007 / 1999 - ASSESSOR - Cancel - \$660.44

SBL No. 323.00-1-30 - TOWN OF CONCORD

Acct. No. 112 - \$ 204.32 - County

Acct. No. 132 - \$ 456.12 - Town/SpecialDist/School

Charge to : TOWN OF CONCORD		91.03
SPRING-GRIFFITH	331.63	
CONCORD FIRE PROTECT	33.46	

CANCEL - CLERICAL ERROR, THE ASSESSMENT WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 189,300 AND SHOULD BE 173,300. RPTL 550(2)A.

Petition No. 981008 / 1999 - ASSESSOR - Cancel - \$70.15

SBL No. 336.18-1-9 - TOWN OF CONCORD

Acct. No. 112 - \$ 58.58 - County

Acct. No. 132 - \$ 11.57 - Town/SpecialDist/School

Charge to : TOWN OF CONCORD		11.57
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CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 13,825 SHOULD BE 8,295. RPTL 550(2)B.

Petition No. 981009 / 1999 - ASSESSOR - Cancel - \$145.00

SBL No. 209.11-1-3.11 - TOWN OF EDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 145.00 - Town/SpecialDist/School

Charge to : TOWN OF EDEN 145.00

CANCEL - CLERICAL ERROR, PARCEL WAS CHARGED A GARBAGE TAX WHEN IT IS VACANT LAND. RPTL 550(2)E.

Petition No. 981010 / 1999 - ASSESSOR - Cancel - \$145.00

SBL No. 238.07-1-15 - TOWN OF EDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 145.00 - Town/SpecialDist/School

Charge to : TOWN OF EDEN 145.00

CANCEL - CLERICAL ERROR, PARCEL WAS CHARGED FOR 3 UNITS OF REFUSE TAX. PARCEL SHOULD ONLY BE CHARGED FOR 2 UNITS. RPTL 550(2)E.

Petition No. 981011 / 1999 - ASSESSOR - Cancel - \$435.00

SBL No. 238.07-1-30 - TOWN OF EDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 435.00 - Town/SpecialDist/School

Charge to : TOWN OF EDEN 435.00

CANCEL - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR SIX UNITS OF REFUSE TAX. PARCEL SHOULD ONLY BE CHARGED FOR 3 UNITS. RPTL 550(2)E.

Petition No. 981012 / 1999 - ASSESSOR - Cancel - \$145.00

SBL No. 238.07-3-13.11 - TOWN OF EDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 145.00 - Town/SpecialDist/School

Charge to : TOWN OF EDEN 145.00

CANCEL - CLERICAL ERROR, PARCEL WAS CHARGED FOR TWO UNITS OF REFUSE
AND SHOULD BE CHARGED FOR ONE UNIT OF REFUSE. RPTL 550(2)E.

Petition No. 981013 / 1999 - ASSESSOR - Cancel - \$145.00

SBL No. 239.00-1-20.112 - TOWN OF EDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 145.00 - Town/SpecialDist/School

Charge to : TOWN OF EDEN 145.00

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

Petition No. 981014 / 1999 - ASSESSOR - Cancel - \$619.94

SBL No. 255.00-2-31 - TOWN OF EDEN

Acct. No. 112 - \$ 382.89 - County

Acct. No. 132 - \$ 237.05 - Town/SpecialDist/School

Charge to : TOWN OF EDEN		207.25
FIRE PROTECTION	29.80	

CANCEL - CLERICAL ERROR, ASSESSED VALUE ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 80,400 AND SHOULD BE 26,500. RPTL 550(2)A.

Petition No. 981015 / 1999 - ASSESSOR - Cancel - \$442.43

SBL No. 127.03-1-18 - TOWN OF ELMA

Acct. No. 112 - \$ 417.86 - County

Acct. No. 132 - \$ 24.57 - Town/SpecialDist/School

Charge to : TOWN OF ELMA		24.57
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CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT 4,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)A.

Petition No. 981016 / 1999 - ASSESSOR - Cancel - \$78.44

SBL No. 128.00-1-1.3 - TOWN OF ELMA

Acct. No. 112 - \$ 62.68 - County

Acct. No. 132 - \$ 15.76 - Town/SpecialDist/School

Charge to : TOWN OF ELMA		6.96
ELMA FIRE PROTECT	8.80	

CANCEL - CLERICAL ERROR, THIS PARCEL IS A DUPLICATE PARCEL. THIS IS INCLUDED IN SBL 128.00-1-1.3. RPTL 550(2)F.

Petition No. 981017 / 1999 - ASSESSOR - Cancel - \$653.64

SBL No. 137.01-1-9 - TOWN OF ELMA

Acct. No. 112 - \$ 522.33 - County

Acct. No. 132 - \$ 131.31 - Town/SpecialDist/School

Charge to : TOWN OF ELMA		58.01
ELMA FIRE PROTECT	73.30	

CANCEL - CLERICAL ERROR, ASSESSED VALUE WAS ENTERED INCORRECTLY
ON
THE TAX ROLL. THE ASSESSMENT WAS 11,000 AND SHOULD BE 6,000.
RPTL 550(2)A.

Petition No. 981018 / 1999 - ASSESSOR - Cancel - \$174.57

SBL No. 137.02-5-1.12 - TOWN OF ELMA

Acct. No. 112 - \$ 83.57 - County

Acct. No. 132 - \$ 91.00 - Town/SpecialDist/School

Charge to : TOWN OF ELMA		79.27
ELMA FIRE PROTECT	11.73	

CANCEL - CLERICAL ERROR, THIS ACCOUNT WAS CREATED IN ERROR.

PETITION NUMBER 981018 CONTINUED RPTL 550(2)F.

Petition No. 981019 / 1999 - ASSESSOR - Cancel - \$143.80

SBL No. 138.00-3-6.132 - TOWN OF ELMA

Acct. No. 112 - \$ 114.90 - County

Acct. No. 132 - \$ 28.90 - Town/SpecialDist/School

Charge to : TOWN OF ELMA 12.77
ELMA FIRE PROTECT 16.13

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED
INCORRECTLY
ON THE TAX ROLL. THE ASSESSMENT WAS 12,100 AND SHOULD BE 11,100.
RPTL 550(2)A.

Petition No. 981020 / 1999 - ASSESSOR - Cancel - \$196.10

SBL No. 138.01-3-7 - TOWN OF ELMA

Acct. No. 112 - \$ 156.70 - County

Acct. No. 132 - \$ 39.40 - Town/SpecialDist/School

Charge to : TOWN OF ELMA 17.41
ELMA FIRE PROTECT 21.99

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED
INCORRECTLY
ON THE TAX ROLL. THE ASSESSMENT WAS 13,300 AND SHOULD BE 11,800.
RPTL 550(2)A.

Petition No. 981021 / 1999 - ASSESSOR - Cancel - \$974.28

SBL No. 145.01-2-24 - TOWN OF ELMA

Acct. No. 112 - \$ 769.13 - County

Acct. No. 132 - \$ 205.15 - Town/SpecialDist/School

Charge to : TOWN OF ELMA		79.73
SPRINGBROOK FIRE PROTECT	125.42	

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 11,400 AND SHOULD BE 5,200. RPTL 550(2)A.

Petition No. 981022 / 1999 - ASSESSOR - Cancel - \$52.28

SBL No. 155.00-2-30 - TOWN OF ELMA

Acct. No. 112 - \$ 41.78 - County

Acct. No. 132 - \$ 10.50 - Town/SpecialDist/School

Charge to : TOWN OF ELMA		4.63
ELMA FIRE PROTECT	5.87	

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 6,100 AND SHOULD BE 5,700. RPTL 550(2)A.

Petition No. 981023 / 1999 - ASSESSOR - Refund - \$19.55

SBL No. 192.20-6-14 - TOWN OF EVANS

Acct. No. 112 - \$ 19.55 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :
 REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 19,800 SHOULD BE ENTERED IN THE AMOUNT OF 22,000. RPTL 550(2)B.
 CHECK IN FAVOR OF: ANNELIESE WENDLEY

Petition No. 981024 / 1999 - ASSESSOR - Refund - \$794.74

SBL No. 207.07-2-19 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 794.74 - Town/SpecialDist/School

Charge to : N.Y.S.STAR PROGRAM 794.74

REFUND - CLERICAL ERROR, THE STAR EXEMPTION IN THE AMOUNT OF 39,990 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.
CHECK IN FAVOR OF: DAVID & ROGER POWELL

Petition No. 981025 / 1999 - ASSESSOR - Cancel - \$180.00

SBL No. 250.11-2-2 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 180.00 - Town/SpecialDist/School

Charge to : TOWN OF EVANS 180.00

CANCEL - CLERICAL ERROR, THE DEMOLITION CHARGE THAT WAS PLACED ON THIS PARCEL BELONGS ON SBL 250.11-2-4. RPTL 550(2)E.

Petition No. 981026 / 1999 - ASSESSOR - Cancel - \$2,212.38

SBL No. 64.00-1-20 - TOWN OF GRAND ISLAND

Acct. No. 112 - \$ 699.51 - County

Acct. No. 132 - \$ 1,512.87 - Town/SpecialDist/School

Charge to : TOWN OF GRAND ISLAND 214.91
GRND ISLN CENTRAL 1,252.54
GRAND ISLAND FIRE PROTECT 45.42

CANCEL - UNLAWFUL ENTRY, THIS PROPERTY IS WHOLLY EXEMPT FROM TAXES.
PROPERTY IS OWNED BY THE NEW YORK STATE DEPT OF ENVIRONMENTAL CONSERVATION. RPTL 550(7)A.

Petition No. 981027 / 1999 - ASSESSOR - Refund - \$162.00

SBL No. 150.58-1-29.1 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 162.00 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG 162.00

REFUND - CLERICAL ERROR, THIS PROPERTY WAS A TWO FAMILY AND HAS NOW BEEN CONVERTED TO A SINGLE FAMILY HOME. SHOULD ONLY BE CHARGED FOR ONE UNIT OF SEWER TAX. RPTL 550(2)E.

PETITION NUMBER 981027 CONTINUED CHECK IN FAVOR OF: RICHARD & IRENE OLENISCZ

Petition No. 981028 / 1997 - ASSESSOR - Refund - \$48.91

SBL No. 262.00-2-33 - TOWN OF HOLLAND

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 48.91 - Town/SpecialDist/School

Charge to : TOWN OF HOLLAND 48.91

REFUND - UNLAWFUL ENTRY, THIS PARCEL WAS CHARGED IN ERROR FOR THE LIGHT DISTRICT. PROPERTY IS NOT IN THIS DISTRICT. RPTL 550(7)B.
CHECK IN FAVOR OF: HERBERT & FRNACES ARNOLD

Petition No. 981029 / 1998 - ASSESSOR - Refund - \$47.06

SBL No. 262.00-2-33 - TOWN OF HOLLAND

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 47.06 - Town/SpecialDist/School

Charge to : TOWN OF HOLLAND 47.06

REFUND - UNLAWFUL ENTRY, THIS PARCEL IS LOCATED OUT OF THIS LIGHT DISTRICT. RPTL 550(7)B.
CHECK IN FAVOR OF: HERBERT & FRANCES ARNOLD

(4-0) Legislator Fitzpatrick absent.

**CRYSTAL PEOPLES
CHAIRPERSON**

MS. PEOPLES moved the adoption. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

Item 15- MR. FITZPATRICK presented the following and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 173

May 13, 1999

ECONOMIC DEVELOPMENT
COMMITTEE
REPORT NO. 5

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

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

- a. Item Page -1999 (Comm. 8M-13)
NFTA: Minutes of Board Meeting Held 3/29/99.
(6-0) Chairman Swanick present as ex-officio member.
- b. Item Page -1999 (Comm. 9D-3)
DPW: Supplemental Agreements With NYSDOT Clarence Center Road Bridge 217-2
Over Ransom Creek BIN 3-32644-0, Town of Clarence.
(6-0) Chairman Swanick present as ex-officio member.
- c. Item Page -1999 (Comm. 9D-6)
DPW: SEQR Notice of Determination of Non Significance Erie County Courts Master
Plan Implementation Project EC DPW Project No. MJ-97-1.
(6-0) Chairman Swanick present as ex-officio member.
- d. Item Page -1999 (Comm.9M-6)
ECIDA: Notice of Board of Directors Meeting to be held 5/12/99.
(6-0) Chairman Swanick present as ex-officio member.

May 20, 1999ERIE COUNTY LEGISLATURE

2. Item Page - 1999 (Comm. 8D-9)
DPW

WHEREAS, a project for P.I.N. 5754.11, Replacement of the Ridge Road Bridge 137-1 over Cazenovia Creek, BIN 3-21693-0, Town of West Seneca, Erie County, is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% nonFederal funds; and

WHEREAS, the County Legislature has approved said project by Resolutions, Communication No. 22D-6 adopted on November 18, 1993; Number 4D-11 adopted on March 7, 1996; and Number 7D-16 adopted on April 17, 1997, and appropriated the necessary funding; and

WHEREAS, the New York State Department of Transportation has approved the project for Marchiselli funding which reduces the County share by 75%.

NOW, THEREFORE, the Legislature duly convened does hereby

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

RESOLVED, that the County Legislature of the County of Erie, hereby, authorizes the County of Erie to enter into a Marchiselli Agreement for the Construction/Construction Inspection phase of the subject project whereby the State under the agreement will reimburse the County to a maximum of \$216,951.42 which equals 75% of the current \$289,268.56 non-federal share of the project's cost; and be it further

RESOLVED, that the County Executive of the County of Erie be and is, hereby, authorized to execute all necessary agreements, certifications or reimbursement requests for Federal aid and/or Marchiselli aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the project and providing for the administration of the project and the Municipality's first instance funding of the nonfederal share of project costs and permanent funding of the local share of federal aid and state aid eligible project costs and all project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by

May 20, 1999ERIE COUNTY LEGISLATURE

attaching it to any necessary Agreement in connection with the project; and be it further

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

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

3. Item Page - 1999 (Comm. 8D-10)

WHEREAS, a project for the Reconstruction of CR 290, Wehrle Drive, from Youngs Road (CR 554) to NY Rte.78, Transit Road, Town of Amherst, P.I.N. 5755.19 (the Project) which is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such programs to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the Erie County Legislature approved the entering into an agreement with the New York State Department of Transportation (NYSDOT) for reimbursement of the Federal share and 75% of the non-federal share in Meeting Number 11, held on May 28, 1998, Communication Number 9D-26; and

WHEREAS, the County of Erie has entered into an agreement through NYSDOT for reimbursement of 80% (\$742,400) of the contract amount for Engineering Services (\$928,000) by the Federal Government; and

WHEREAS, said contract provides for the County of Erie to be the lead administrator requiring the County's entering into contracts with Design Professionals; and

WHEREAS, the County now has the obligation to proceed with procurement of Engineering Services, which fees are reimbursable as stated above.

NOW, THEREFORE, be it

RESOLVED, increase Capital Project, Wehrle Drive, CR 290, from Youngs Road to NY Route 78 (Transit Road), Town of Amherst, by \$742,400, source of funds being Federal Aid in the amount of \$742,400; and be it further

RESOLVED, that the Commissioner of Public Works be authorized to enter into an agreement with Sear Brown Associates for engineering services for a sum not to exceed \$928,000; and be it further

RESOLVED, that the contract with Sear Brown Associates is contingent upon New York State Department of Transportation approval and acceptance; and be it further

RESOLVED, that an amount of \$56,200 be allocated from the 1999 Federal Aid Projects Program (SFG 120) in addition to the \$129,400 appropriated under Communication Number 9D-26 from the 1997 Federal Aid Program (SFG 114) to cover the cost of participation in the administration of the various engineering and construction phases of the project; and be it further

RESOLVED, that the Commissioner of Public Works be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County's first instance funding of the Federal Aid and State aid eligible costs and permanent funding of the local share; and be it further

RESOLVED, that this authorization is contingent upon the Legislature authorizing the sale of said 1999 Federal Aid Capital Bond funds; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Deputy Commissioner, Highways, and one certified copy to the County Comptroller. (6-0). Chairman Swanick present as ex-officio member.

4. Item Page - 1999 (Comm. 8E-17)

COUNTY EXECUTIVE

WHEREAS, The County of Erie, desires to fund the extension of Commerce Green Industrial Park; and

WHEREAS, This industrial park has been designated and zoned as an industrial area by the Village of East Aurora and meets the needs of Luminescent Systems for the location of its new facility; and

WHEREAS, The Village of East Aurora has agreed to contract the construction of the extension of the industrial park, take ownership and provide for maintenance as a municipal roadway; and

WHEREAS, Luminescent System has agreed to locate its new facility in the industrial park;

NOW, THEREFORE BE IT

RESOLVED, That the County Executive is authorized to enter into contracts with the Village of East Aurora in amounts not to exceed a total of \$300,000, for the purpose of funding the construction of Commerce Green Industrial Park including engineering costs, and be it further

RESOLVED, That the source of funds shall be \$100,000 available in General Fund 110, Project 922, Department 302, Agency Payments monitored by Environment and Planning, Account 830, Contractual Services Subaccount 1030, Business Site Development Fund, which is hereby transferred to a subaccount for the Village of East Aurora in the same administrative unit, and a loan of \$200,000 available in the County's Community Development Block Grant Program from program year 1996/97 in Account 830, Contractual Services, Subaccount 504, Economic Development, and be it further

RESOLVED, That the Clerk of the Legislature be directed to send certified copies of this resolution to the Director of Budget and Management, the Commissioner of Environment and Planning, the Comptroller and the County Attorney.

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

5. Item Page - 1999 (Comm. 9D-8)
DPW

WHEREAS, the 1999 Capital Budget contains \$1,000,000 for Main Library Mechanical System & Building Rehabilitation, Phase IV, and

WHEREAS, the firm of Trautman Associates is already engaged by the Department of Public Works under an Architect/Engineer contract for Phases 1, 2, and 3 work at the Central Library, and

WHEREAS, it is now also desired to start design of Phase IV of this project so it can be bid in 1999,

NOW THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works be authorized to issue a supplemental agreement to Trautman Associates, on a percentage of construction basis, not to exceed \$83,000.00, including testing, reimbursables, and miscellaneous expenses relative to the engineering design services required for the Main Library Mechanical Systems & Building Rehabilitation, and be it further,

RESOLVED, that the \$83,000.00 fee allocation be taken from the 1999 Main Library Mechanical Systems & Building Rehabilitation, Project 143, Fund 490, and be it further,

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

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

6. Item Page - 1999 **AS AMENDED**
DPW (Comm. 9D-9)

WHEREAS, bids were taken for the 1999 Overlay 'A' Program, Project No. CHIPS OP-99A, (Eggert Road-CR 130 and CR 201; Cleveland Drive-CR 141; Kenmore Avenue-CR 189; Englewood/Highland-CR 129 in the Towns of Amherst, Cheektowaga and Tonawanda) on May 6, 1999, the low bidder being Holmes and Murphy, Incorporated of 75 Bank Street, Orchard Park, New York, at a low bid amount of \$2,498,448.55.

NOW, THEREFORE, BE IT

RESOLVED, That the County Executive be authorized and is hereby directed to execute a contract for Project Number CHIPS OP-99A, the 1999 Overlay 'A' Program, in the Towns of Amherst,

Cheektowaga and Tonawanda, between the County of Erie and the low bidder Holmes and Murphy, Incorporated of Orchard Park, New York at its low bid of \$2,498,448.55; and be it further

RESOLVED, that an amount of \$2,498,448.55 be allocated as follows:

Project 115	1997 Unanticipated Road Reconstruction	\$ 141,494.00
Project 117	1998 Unanticipated Road Reconstruction	295,968.00
Project 138	1999 Capital Overlay Program	1,266,420.56
Project 503	Highway Road Widening Program-1975	20,000.00
Project 528	NYS Multi Modal Program	214,098.82
Project 622	1982 Bridge and Road Widening	122.74
Project 623	1983 Reconstruction of County Highways	161.41
Project 625	1984 Reconstruction of County Highways	4,799.91
Project 630	1987 Reconstruction of County Highways	2,877.00
Project 631	1987 Consolidated Highway Program	129.54
Project 632	1988 Road Widening Program	56,351.22
Project 633	1988 Reconstruction of County Highways	697.56
Project 653	1992 Consolidated Highway Improvements	48.22
Project 658	1993 County Road Construction	5,020.00
Project 659	1993 Bridge Design and Construction	1,475.16
Project 660	1993 Consolidated Highway Improvements	45.81
Project 686	Oil & Chip Transfer Tax	27,430.29
Project 688	1994 Road Construction	62,122.00
Project 689	1994 Road Design Program	24,672.03
Project 691	1994 Bridge Design	600.00
Project 729	Bridge Construction	3,166.90
Project 730	Road Construction	15,294.94
Project 734	1996 CHIPS	75,682.66
Project 797	1998 Local Source Overlay Program	22,260.83
Project 801	CHIPS	257,508.95

and be it further

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

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

7. Item Page - 1999 (Comm. 9D-11)
DPW

WHEREAS, a project for the Reconstruction of CR 294, North Forest Road, Route 263(Millersport Highway) to Dodge Road, Town of Amherst, P.I.N. 5753.74 (the Project) which is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such programs to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the Erie County Legislature approved the entering into an agreement with the New York State Department of Transportation (NYSDOT) for reimbursement of the Federal share and 75% of the non-federal share in Meeting Number 4, held on February 18, 1999, Communication Number 3D-10; and

WHEREAS, the County of Erie has entered into an agreement through NYSDOT for reimbursement of 80% (\$297,600) of the contract amount for engineering services (\$372,000) by the Federal Government; and

WHEREAS, said contract provides for the County of Erie to be the lead administrator requiring the County's entering into contracts with Design Professionals; and

WHEREAS, the County now has the obligation to proceed with procurement of Engineering Services, which fees are reimbursable as stated above.

NOW, THEREFORE, be it

RESOLVED, that Capital Project, North Forest Road, CR 294, from Route 263, Millersport Highway to Dodge Road, Town of Amherst, be increased by \$297,600, the source of funds being Federal Aid in the amount of \$297,600; and be it further

RESOLVED, that the Commissioner of Public Works be authorized to enter into an agreement with Bergmann Associates for engineering services for a sum not to exceed \$372,000; and be it further

RESOLVED, that the contract with Bergmann Associates is contingent upon New York State Department of Transportation approval and acceptance; and be it further

RESOLVED, that an amount of \$74,400 be allocated from the 1999 Federal Aid Projects Program to cover the non-federal share (20%) of the cost of participation in the administration of the various engineering phases of the project; and be it further

RESOLVED, that the Commissioner of Public Works be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County's first instance funding of the Federal Aid and State aid eligible costs and permanent funding of the local share; and be it further

RESOLVED, that this authorization is contingent upon the Legislature authorizing the sale of said 1999 Federal Aid Capital Bond funds; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Deputy Commissioner, Highways and one certified copy to the Erie County Comptroller.

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

8. Item Page - 1999 (Comm. 9D-12)
DPW

WHEREAS, a project for the Reconstruction of CR 30, Glenwood-East Concord Road Bridge, BIN 3-04248-0 (Route 240) over Spencer Brook, Town of Concord, P.I.N. 5754.53 (the Project) which is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such programs to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the Erie County Legislature approved the entering into an agreement with the New York State Department of Transportation (NYSDOT) for reimbursement of the Federal share and 75% of the

non-federal share in Meeting Number 3, held on February 4, 1999, Communication Number 29D-11; and

WHEREAS, the County of Erie has entered into an agreement through NYSDOT for reimbursement of 80% (\$224,800) of the contract amount for engineering services (\$281,000) by the Federal Government; and

WHEREAS, said contract provides for the County of Erie to be the lead administrator requiring the County's entering into contracts with Design Professionals; and

WHEREAS, the County now has the obligation to proceed with procurement of Engineering Services, which fees are reimbursable as stated above.

NOW, THEREFORE, be it

RESOLVED, that Capital Project, Glenwood-East Concord Road Bridge 30-2, Town of Concord, be increased by \$224,800, the source of funds being Federal Aid in the amount of \$224,800; and be it further

RESOLVED, that the Commissioner of Public Works be authorized to enter into an agreement with Clough Harbour and Associates for engineering services for a sum not to exceed \$281,000; and be it further

RESOLVED, that the contract with Clough Harbour and Associates is contingent upon New York State Department of Transportation approval and acceptance; and be it further

RESOLVED, that an amount of \$56,200 be allocated from the 1999 Federal Aid Projects Program to cover the non-federal share (20%) of the cost of participation in the administration of the various engineering phases of the project; and be it further

RESOLVED, that the Commissioner of Public Works be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County's first instance funding of the Federal Aid and State aid eligible costs and permanent funding of the local share; and be it further

RESOLVED, that this authorization is contingent upon the Legislature authorizing the sale of said 1999 Federal Aid Capital Bond funds; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Deputy Commissioner, Highways and one certified copy to the Erie County Comptroller.

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

9. Item Page - 1999 (Comm. 9D-13)
DPW

WHEREAS, a project for the Reconstruction of Two Rod Road Bridge 547-1 BIN 3-36801-0 over Tributary to Cayuga Creek, Town of Alden and Strickler Road Bridge 269-2, BIN 3-32663-0 over Tributary to Beeman Creek, Town of Clarence, PIN 5754-88 (the Project) which is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such programs to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the Erie County Legislature approved the entering into an agreement with the New York State Department of Transportation (NYSDOT) for reimbursement of the Federal share and 75% of the non-federal share in Meeting Number 3, held on February 5, 1998, Communication Number 2D-8; and

WHEREAS, the County of Erie has entered into an agreement through NYSDOT for reimbursement of 80% (\$161,600) of the contract amount for engineering services (\$202,000) by the Federal Government; and

WHEREAS, said contract provides for the County of Erie to be the lead administrator requiring the County's entering into contracts with Design Professionals; and

WHEREAS, the County now has the obligation to proceed with procurement of Engineering Services, which fees are reimbursable as stated above.

NOW, THEREFORE, be it

RESOLVED, that Capital Project, Two Rod Road Bridge 547-1 and Strickler Road Bridge 269-2, Towns of Alden and Clarence respectively, be increased by \$161,600, the source of funds being Federal Aid in the amount of \$161,600; and be it further

RESOLVED, that the Commissioner of Public Works be authorized to enter into an agreement with Nussbaumer and Clarke, Inc., for engineering services for a sum not to exceed \$202,000; and be it further

RESOLVED, that the contract with Nussbaumer and Clarke, Inc., is contingent upon New York State Department of Transportation approval and acceptance; and be it further

RESOLVED, that an amount of \$40,400 be allocated from the 1999 Federal Aid Projects Program to cover the non-federal share (20%) of the cost of participation in the administration of the various engineering phases of the project; and be it further

RESOLVED, that the Commissioner of Public Works be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County's first instance funding of the Federal Aid and State aid eligible costs and permanent funding of the local share; and be it further

RESOLVED, that this authorization is contingent upon the Legislature authorizing the sale of said 1999 Federal Aid Capital Bond funds; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Deputy Commissioner, Highways, and one certified copy to the Erie County Comptroller.

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

10. Item Page - 1999 (Comm. 9E-2)

COUNTY EXECUTIVE

WHEREAS, the County of Erie is vitally interested in activities which may generate new opportunities for local businesses; and

WHEREAS, foreign markets present many such opportunities; and

WHEREAS, County government has been supportive of the extension of international trade by local companies.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive is hereby authorized to enter into a contract with Atlantic Corridor USA, Inc. for the purpose of mutual promotion of economic development opportunities in Western New York and Ireland; and be it further

RESOLVED, that an appropriation in the amount of \$25,000 is hereby approved for this purpose; the source of funds being reallocation of funding in the same amount for the Dunbrody Famine Ship contained in the 1999 Budget (DAC 1109213018301038); said funds are hereby transferred to DAC 1109223028301038, in Agency Payments - Public Benefit Agencies, Monitored by the Department of Environment and Planning; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the County Attorney, the Budget Director, the Commissioner of Environment and Planning, the Director of the Center for Cooperative Economic Growth, the Comptroller and Atlantic Corridor USA, Inc. (6-0). Chairman Swanick present as ex-officio member.

11. Item Page - 1999 (Comm. 9E-3)
COUNTY EXECUTIVE

WHEREAS, The County of Erie, has decided to participate in a local traffic impact study; and

WHEREAS, The Erie County office of Economic Development has funds committed to this effort and has agreed to coordinate and manage the project;

NOW, THEREFORE BE IT

RESOLVED, That the County Executive is authorized to enter into contracts with and accept funds from the Bethlehem Steel Corporation and the Lackawanna Community Development Corporation in amounts not to exceed a total of \$25,000, for the purpose of funding a study to define transportation needs and opportunities for local industry as a result of development of vacant parcels along Route 5, and be it further

RESOLVED, That Erie County allocates funds not to exceed \$25,000 towards this study and that the source of these funds will be the Erie County Community Development Block Grant Program, and be it further

RESOLVED, That the County Executive is authorized to select and enter into contracts with consultants for the Route 5 Limited Traffic Impact Study for a total amount not to exceed \$50,000, and be it further

RESOLVED, That the County of Erie is authorized to establish a grant project for this purpose and to establish a budget as follows:

Account	Description	Amount
549-112	Contribution from Private Agencies	\$ 1,000
549-149	Contribution from Bethlehem Steel Corp.	\$24,000
685-6201	<u>Interfund Revenues-Community Development</u>	<u>\$25,000</u>
	Total Revenues	\$50,000
826	Other Expenses	\$ 1,000
830	<u>Contractual Agencies</u>	<u>\$49,000</u>
	Total Appropriations	\$50,000

and be it further,

RESOLVED, That the Clerk of the Legislature be directed to send certified copies of this resolution to the Budget Director, the Comptroller and the Commissioner of Environment and Planning. (6-0). Chairman Swanick present as ex-officio member.

**MICHAEL FITZPATRICK
CHAIRMAN**

MR. FITZPATRICK moved to separate item #6 and approve the balance of the report. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MR. FITZPATRICK moved to amend item #6. MS. PEOPLES seconded.

WHEREAS, bids were taken for the 1999 Overlay 'A' Program, Project No. CHIPS OP-99A, (Eggert Road-CR 130 and CR 201; Cleveland Drive-CR 141; Kenmore Avenue-CR 189; Englewood/Highland-CR 129 in the Towns of Amherst, Cheektowaga and Tonawanda) on May 6, 1999, the low bidder being Holmes and Murphy, Incorporated of 75 Bank Street, Orchard Park, New York, at a low bid amount of \$2,498,448.55,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to execute a contract for Project Number CHIPS 0 - the 1999 Overlay 'A' Program, in the Towns of Amherst, Cheektowaga and Tonawanda, been the County of Erie and the low bidder Holmes and Murphy, Incorporated of Orchard Park, New York at its low bid amount of \$2,498,448.55, and be it further

RESOLVED, that an amount of \$2,498,448.55 be allocated as follows:

Project 115	1997 Unanticipated Road Reconstruction	\$	141,494.00
Project 117	1998 Unanticipated Road Reconstruction		295,968.00
Project 138	1999 Capital Overlay Program		1,298,342.58
Project 528	NYS Multi Modal Program		214,098.82
Project 622	1982 Bridge and Road Widening		122.74
Project 623	1983 Reconstruction of County Highways		161.41
Project 625	1984 Reconstruction of County Highways		4,799.91
Project 630	1987 Reconstruction of County Highways		2,877.00
Project 632	1988 Road Widening Program		56,351.22
Project 653	1992 Consolidated Highway Improvements		48.22
Project 659	1993 Bridge Design and Construction		1,475.16
Project 660	1993 Consolidated Highway Improvements		45.81
Project 686	Oil & Chip Transfer Tax		27,430.29
Project 688	1994 Road Construction		2,122.00
Project 689	1994 Road Design Program		24,672.03
Project 691	1994 Bridge Design	600.00	
Project 729	Bridge Construction		3,166.90
Project 730	Road Construction		15,294.55
Project 734	1996 CHIPS		69,608.13
Project 797	1998 Local Source Overlay Program		22,260.83

Project 801 CHIPS

257,508.95

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

CARRIED UNANIMOUSLY.

MR. KUWIK moved to approve the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 16 - MRS. FISHER presented the following and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 174
May 11, 1999

HEALTH / MENTAL HEALTH
COMMITTEE
REPORT NO. 6

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

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

Item Page -1999 (Comm. 8D-2)
a. **ECMC**: Notice of Board Meeting Held 4/15/99 & Minutes of Board Meeting Held 3/11/99
(6-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1999 (Comm. 9D-4)
b. **ECMC**: Notice of Board of Managers Finance Committee Meeting to be Held 5/7/99
(6-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1999 (Comm. 9D-5)
c. **ECMC**: Notice of Board of Managers Regular Meeting to be Held 5/13/99
(6-0) Chairman Swanick Present as Ex-Officio Member

2. Item Page - 1999 (Comm. 8E-15)

COUNTY EXECUTIVE

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

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

(6-0) Chairman Swanick Present as Ex-Officio Member

2. Item Page - 1999 (Comm. 8E-15)

COUNTY EXECUTIVE

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

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

WHEREAS, the Erie County Health Department has received a revised grant award which includes a capital fund project for use by the Department of Public Works to coordinate a renovation project in various county-owned facilities and leased space currently in use as WIC administrative and distribution sites, and

WHEREAS, this renovation project must be done in order to comply with the New York State automation project, and

WHEREAS, the revised budget deletes one vacant full-time of Nutritionist, JG X position (Position #808220) and creates one full-time position of Assistant Nutritionist, JG VIII.

NOW, THEREFORE, BE IT

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

SUPPLEMENTAL FOOD
(WIC) PROGRAM
10/1/98-9/30/99
PROJECT 0775

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
444	LOCAL SOURCE	\$ 800	\$0	\$ 800
549	MISC DEPT INC	650	0	650
575	STATE AID	2,934,462	0	2,934,462
TOTAL		\$ 2,935,912	\$0	\$ 2,935,912
EXPENSES				
800	PERS SERVICES	\$ 2,047,617	\$-47,946	\$ 1,999,671
805	FRINGE BENEFITS	546,418	-4,189	542,229
810	OFFICE SUPPLIES	7,230	300	7,530

May 20, 1999

ERIE COUNTY LEGISLATURE

814	MEDICAL SUPPLIES	1,730	0	1,730
816	MAINT SUPPLIES	200	0	200
821	DUES & FEES	6,000	200	6,200
822	RENTAL CHARGES	16,604	500	17,104
823	REPAIRS & MAINT	2,035	300	2,335
\$24	TRAVEL & MILEAGE	12,750	300	13,050
825	TRAVEL - CONF	7,800	500	8,300
826	OTHER EXPENSES	24,914	1,385	26,299
880-2700	INTERFUND - ECHD	49,445	0	49,445
880-4000	INTERFUND - ECMC	15,129	0	15,129
880-5100	INTERFUND - DISS	42,940	0	42,940
886	INTERFUND - TRANSFER EXPENSE	0	32,000	32,000
890	CONTR SALARY RESERVES	0	0	0
892	NON-SPENDABLE	150,000	0	150,000
931	MAINT EQUIPMENT	700	0	700
932	FURNITURE	2,600	16,000	18,600
933	TECHNICAL EQUIPMENT	1,800	650	2,450
	TOTAL	\$2,935,912	\$0	\$2,935,912

The following personnel detail is hereby submitted:

TITLE: Assistant Nutritionist	FUNDING: 100% State Funded
JG: 8 STEP: 0	CIVIL SERVICE: Yes
ANNUAL SALARY: \$28,047	
ANNUAL BENEFITS: \$7,853	

and be it further

RESOLVED, that a project in the amount of \$32,000 is hereby established in the Capital Projects Fund for the renovation of county-owned facilities and leased space for the Women, Infants and Children's Supplemental Nutrition (WIC) Program, the source of funds being a transfer from the WIC Program in the Grant Fund, and be it further

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

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

3. Item Page - 1999 (Comm. 9E-4)

COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department operates community health centers, and

WHEREAS, the New York State Department of Health has awarded the Erie County Health Department a revised grant in the amount of \$312,331, which authorizes budgetary and staff adjustments.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into an agreement with the New York State Department of Health for the purpose of continuing the Women's Health Services Program to be budgeted as follows

WOMEN'S HEALTH SERVICES
4/1/99-3/31/00
PROJECT#189

SFG CODE	REVENUE	CURRENT BUDGET	CHANGE	REVISED BUDGET
386	PRIVATE PAY	\$ 2,000	\$ 1,835	\$ 3,835
387	MEDICAID	349,756	154,814	504,570
575	STATE AID	353,049	-40,718	312,331
685-2700	INTERFUND-NON SUBSIDY	<u>88,266</u>	<u>0</u>	<u>88,266</u>
	TOTAL REVENUE	<u>\$ 793,071</u>	<u>\$ 115,931</u>	<u>\$ 909,002</u>
APPROPRIATIONS				
800	PERSONAL SERVICES	\$ 420,917	\$ 95,193	\$ 516,110
805	FRINGE BENEFITS	117,676	14,190	131,866
810	OFFICE SUPPLIES	5,500	0	5,500
814	MEDICAL SUPPLIES	55,000	7,000	62,000
816	MAINT SUPPLIES	100	25	125
821	DUES & FEES	70,020	-9,759	60,261
822	RENTAL CHARGES	500	0	500
823	REPAIRS & MAINT	4,000	0	4,000
824	LOCAL MILEAGE	6,500	0	6,500
825	TRAVEL-OUT OF AREA	2,500	0	2,500
826	OTHER EXPENSES	28,000	0	28,000
880-2700	INTERFUND-HEALTH DEPT.	14,325	0	14,325
880-2720	INTERFUND-PUBLIC HEALTH LAB	10,052	0	10,052
880-4000	INTERFUND-ECMC	37,200	0	37,200
880-5100	INTERFUND-DISS	8,781	0	8,781
932	OFFICE EQUIPMENT	2,000	0	2,000
933	LAB & TECHNICAL EQUIPMENT	<u>10,000</u>	<u>9,282</u>	<u>19,282</u>
	TOTAL APPROPRIATIONS	<u>\$ 793,071</u>	<u>\$ 115,931</u>	<u>\$ 909,002</u>

and be it further

RESOLVED, that one vacant full-time position of Nurses' Aide, JG II and one full-time position of Pregnancy Prevention Specialist, JG IX are hereby deleted,

and be it further

JG: IV
STEP: 0
ANNUAL SALARY: \$10,710
ANNUAL BENEFITS: \$2,736

CIVIL SERVICE: Yes

TITLE: Pregnancy Prevention Specialist, RPT
JG: IX
STEP: 0
ANNUAL SALARY: \$15,068
ANNUAL BENEFITS: \$3,850

FUNDING: 100% State Reimbursement
CIVIL SERVICE: Yes

TITLE: Registered Nurse, PT
JG: N1
STEP: 1
ANNUAL SALARY: \$13,668
ANNUAL BENEFITS: \$3,492

FUNDING: 100% State Reimbursement
CIVIL SERVICE: Yes

TITLE: Pregnancy Prevention Nurse
JG: N2
STEP: 1
ANNUAL SALARY: \$30,916
ANNUAL BENEFITS: \$7,899

FUNDING: 100% State Reimbursement
CIVIL SERVICE: Yes

and be it further

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

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

JUDITH FISHER
CHAIRPERSON

MRS. FISHER moved to separate item #3 and approve the balance of the report. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MRS. FISHER moved to amend item #3. MS. PEOPLES seconded.

DELETE the 2nd RESOLVED clause in its entirety and REPLACE with the following:

RESOLVED, that one vacant full-time position of Nurses' Aide, JG II is hereby deleted, and be it further

CARRIED.

DELETE the 2nd RESOLVED clause in its entirety and REPLACE with the following:

RESOLVED, that one vacant full-time position of Nurses' Aide, JG II is hereby deleted, and be it further

CARRIED.

MR. KUWIK moved to approve the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

LEGISLATORS RESOLUTIONS

Item 17 - MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 175 Re: Update on the Spread of Rabies Throughout
Erie County. (Int. 10-1)

WHEREAS, many counties in Western New York, including Erie County, take aggressive steps to curtail the spread of rabies, and

WHEREAS, Erie County government is among those counties using effective measures to combat rabies, including a continuation of the very successful free rabies clinic program, jointly sponsored by the county and the veterinary society, and

WHEREAS, among the steps taken by Western New York counties, the airdrop method is a successful method used to administer rabies vaccine to wild animals, and

WHEREAS, after implementing the airdrop program, Niagara County experienced a dramatic decline in reported rabies cases, and

WHEREAS, the most recent confirmed case of rabies in Erie County occurred in the Town of Akron in April, and

WHEREAS, in 1998, there was a resolution presented to the Erie County Legislature requesting the Erie County Health Department to develop a countywide vaccine program for rabies, and

WHEREAS, in the interests of the general public safety of Erie County residents, the county would be well advised to review its plans to address cases of rabies that have arisen or may arise during 1999,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby reiterate its commitment to the general public's safety and welfare with respect to the threat of rabies throughout Erie County, and be it further

RESOLVED, that this Honorable Body does hereby commend the Erie County Health Department for its past and current efforts to control the spread of rabies, and this Honorable Body does hereby further commit county government to utilization of rabies control methods deemed to be most effective in controlling the spread of rabies throughout Erie County, and be it further

RESOLVED, that this Honorable Body does hereby request the presence of Erie County Health Commissioner Dr. Arnold Lubin and the Health Department's Rabies Coordinator John Eiss at a future meeting of the Legislature's Health Committee to discuss the county's existing and future plans for controlling the spread of rabies throughout our area, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, Health Commissioner Dr. Arnold Lubin, and Health Department Rabies Coordinator John Eiss.

Fiscal Impact: to be determined

MS. PEOPLES moved to amend the resolution to include et all sponsorship. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

MS. PEOPLES moved the adoption of the resolution as amended. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 18 - MS. PEOPLES presented the following resolution and moved for immediate consideration. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 176

Re: Increasing the Maximum Allowable Income Levels for the Senior Citizen Property Tax Exemption. (Int. 10-2)

WHEREAS, state legislation has been enacted allowing municipalities to increase the maximum income eligibility for senior citizens to receive a real property tax exemption, and

WHEREAS, pursuant to state law, eligible senior citizens are those persons 65 years of age or older who have owned their property for the past 12 consecutive months prior to filing for the exemption and who have incomes that do not exceed the maximum level set by law, and

WHEREAS, senior citizens, in order to be eligible for the property tax exemption, must list their property as their legal address and also reside there, and

WHEREAS, a Public Hearing, pursuant to Section 487, paragraph 1 (a) of the State Real Property Tax Law, as amended, was held Thursday, May 20, in the Chambers of the Erie County Legislature on the proposal to increase the maximum income eligibility level,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, pursuant to Section 467 of the Real Property Tax Law, as amended, hereby grants an exemption from County of Erie real property taxes so as to increase the maximum eligibility levels to the extent of fifty percent (50%) of the assessed valuation of real property owned by persons 65 years of age or older who qualify therefore under said section, provided said persons do not have incomes in excess of nineteen thousand five hundred dollars (\$19,500) for the income tax year immediately proceeding the date of application for said exemption and to the extent provided in the following schedule:

Percentage Assessed Valuation
Exempt From Taxation By The County of Erie

Annual Income

Up to \$19,500	50%
\$19,500 or more but less than \$20,500	45%
\$20,500 or more but less than \$21,500	40%
\$21,500 or more but less than \$22,500	35%
\$22,500 or more but less than \$23,400	30%
\$23,400 or more but less than \$24,300	25%
\$24,300 or more but less than \$25,200	20%
\$25,200 or more but less than \$26,100	15%
\$26,100 or more but less than \$27,000	10%
\$27,000 or more but less than \$27,900	5%

and be it further

RESOLVED, that the Erie County Legislature hereby applies the aforesaid exemption schedule to all taxable status dates for assessment rolls in Erie County, applying to rolls prepared on taxable status dates after January 1, 1999, and be it further

RESOLVED, that certified copies of this resolution be forwarded to County Executive Dennis T. Gorski, Budget Director Kenneth C. Kruly, Deputy Commissioner of Real Property Tax Joseph Maciejewski, 1st Assistant County Attorney Alan P. Gerstman, Senior Services Commissioner Paul E. Fitzpatrick, and the Assessors of each city, town and village in Erie County.

FISCAL IMPACT: A total estimated shift of \$3.9 million in property taxes from exempt to non-exempt taxes results from this resolution. The increased shift in taxes to the average non-exempt parcels in the County, compared with previous authorization, is \$2.80 annually.

MS. PEOPLES moved the adoption of the resolution. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 19 - MRS. FISHER presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 177

Re: Support for the Women's Health & Wellness Act. (Int. 10-3)

WHEREAS, many health insurance companies do not cover procedures such as bone density measurement, mammograms for women between forty and fifty years of age, and cervical cytological screening and,

WHEREAS, simple diagnostic procedures such as these that can be vital to maintaining a woman's health or even saving a life, and

WHEREAS, in addition, many health insurance agencies do not provide women prescription drug coverage for contraceptives while they do provide coverage for medications such as viagra for men, and

WHEREAS, the New York State Assembly and Senate has introduced bill A5457/S2996 also known as the Women's Health and Wellness Act, and

WHEREAS, this legislation makes various provisions regarding health insurance coverage including requiring certain policies to cover bone density measurement and other drug therapy, removing the deductible from coverage for cervical cytological screening and mammograms, extending mammogram eligibility to persons forty and over, requiring prescription drug coverage to include contraceptives and requiring notice of availability of obstetrical and gynecological services,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby go on record in support of the Women's Health and Wellness Act, New York State Bills A5457 and S2996, and be it further

York Delegation of State Representatives and to Governor George E. Pataki.

Fiscal Impact: None for Resolution

MRS. FISHER moved to amend the resolution to include DEBENEDETTI, HOLT, FITZPATRICK, MARINELLI, OLMA, PEOPLES, SWANICK, CHASE, GREENAN, LARSON, MARSHALL, PAULY, RANZENHOFER, and WEINSTEIN as additional sponsors. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

MRS. FISHER moved the adoption of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 20 – MR. OLMA presented the following resolution and moved for immediate consideration. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 178

Re: Home Rule Requests Authorizing Paul S. Zywickzynski to File for Retroactive Membership in the NYS & Local Employees' Retirement Sys. (Int. 10-4)

WHEREAS, New York State Senate Bill S. 3363 and Assembly Bill A. 6674, now pending before the New York State Legislature, would authorize Paul S. Zywickzynski to file for retroactive membership in the New York state and local employees' retirement system;

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

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Senate Bill No. 3363, entitled "AN ACT authorizing Paul S. Zywickzynski to file for retroactive membership in the New York state and local employees' retirement system."

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

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

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

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

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

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

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

WHEREAS, New York State Senate Bill S. 3363 and Assembly Bill A. 6674, now pending before the New York State Legislature, would authorize Paul S. Zywiecynski to file for retroactive membership in the New York state and local employees' retirement system;

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

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill No. 6674, entitled "AN ACT authorizing Paul S. Zywiecynski to file for retroactive membership in the New York state and local employees' retirement system."

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

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

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

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

FISCAL IMPACT: \$12,000

MR. OLMA moved the adoption of the resolution. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 21 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 179

Re: Funding for Community Youth Center. (Int. 10-5)

WHEREAS, the Legislature set aside funds in the 1999 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 \$1,800 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>
Akron / Newstead Youth Center, Inc.	N/A	\$1,800
TOTAL		\$1,800

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, Jim Cotter – Administrative Assistant Department of Budget, Management and Finance, Jennifer Anger – Administrative Assistant Erie County Legislature, and three (3) copies to First Assistant County Attorney Alan Gerstman and one (1) copy to Margaret Lucas, Director (Akron / Newstead Youth Center, Inc. 6430 Dye Road, Akron, NY 14001.)

Fiscal Impact: Appropriation of 1999-budgeted funds.

MR. RANZENHOFER moved the adoption of the resolution. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 22 - MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 180

Re: Produce Quick-Cool Facility Project to
Strengthen Agribusiness for Erie, Niagara Farmers.
(Int. 10-6)

WHEREAS, Farmers in Erie and Niagara Counties are seeing their presence in local supermarkets be diminished due to Canadian produce made cheaper due to the low exchange rate and the North American Free Trade Agreement, and

WHEREAS, Our farmers are therefore looking to expand their markets further outside the area, and

WHEREAS, The Eden Valley Growers Farm Cooperative has found receptive markets in places like New York City, Florida, Texas and Louisiana, and

WHEREAS, Shipping over long distances is problematic, however, due to the short shelf-life of produce such as peppers and legumes, and

WHEREAS, Equipment is available to quick-cool produce to extend the shelf life and enable our farmers to ship to these markets, and

WHEREAS, The Erie-Niagara Regional Partnership — a sub-committee of both counties' legislatures created to promote cooperative and beneficial bi-county projects — has explored a proposal that would put one of these produce quick-cool facilities in Eden Valley this year, with another unit to be placed in Niagara County within the next four years, and

WHEREAS, The placement of the unit in Eden Valley will allow Erie County farmers to expand their market this growing season, and will also benefit Niagara County farmers in the short term by lessening competition in the local market, and

WHEREAS, The cost of one cooler is \$250,000, for a total project cost of \$500,000, and

WHEREAS, Erie and Niagara County farmers have pledged to pay for half the cost, reducing the project cost to \$250,000, and

WHEREAS, Erie County would contribute \$80,000 for the Erie County unit and \$45,000 toward the Niagara County unit, and Niagara County would contribute \$45,000 toward the Erie County unit and \$80,000 for their county's unit, and

WHEREAS, The Erie County Industrial Development Agency will retain ownership of said units under a shell corporation, which the farmers will lease from, and

WHEREAS, The Erie-Niagara Regional Partnership unanimously recommended this project to the Erie and Niagara County Legislatures at their January 29, 1999 meeting, and

WHEREAS, The Erie County Legislature has set aside funds in the 1999 budget for regional initiatives,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby endorse and support the recommendation of the Erie-Niagara Regional Partnership for joint Erie County and Niagara County funding for two produce quick-cool units in order to strengthen agribusiness in both counties and throughout our region, and be it further

RESOLVED, That this Honorable Body does hereby authorize the transfer of \$125,000 from Fund 110, Project 904, Department 303 – Extraordinary Aid to Local Governments – Consolidation/Regional Program (DAC:110904303830699) to Fund 110, Project 922, Department 302 – Public Benefit Agencies – E & P – for payment to the following agency:

(ECIDA)/Quick Cool Program	\$125,000
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and be it further

RESOLVED, That contingent upon approval of legislation transferring the identical funding to the ECIDA by the County of Niagara, this Honorable Body hereby authorizes the Erie County Executive to enter into contract with the ECIDA for the purposes stated above, and be it further

RESOLVED, That this Honorable Body does hereby authorize the Budget Director and other appropriate department heads to complete the necessary paperwork to effectuate this transfer of funds, and be it further

RESOLVED, That certified copies of this resolution be sent to Erie County Executive Dennis Gorski, Erie County Deputy County Executive James Keane, Erie County Budget Director Kenneth Kruly, Erie County Department of Environment and Planning Commissioner Richard Tobe, Gregory Gach in the Erie County Budget Division, Erie County Industrial Development Agency Executive Director Ronald Coan, Niagara County Legislature Chairman Gerald Meal, and Eden Valley Growers, Inc. Board President Mark Henry (PO Box 39, Eden, NY 14057).

Fiscal Impact: Transfer of 1999 budgeted funds.

MS. PEOPLES moved to amend the resolution to include et all sponsorship. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

MS. PEOPLES moved the adoption of the resolution as amended. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 23 - MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 181

Re: Support for the Local Government Records
Management Improvement Fund (LGRMIF). (Int.
10-7)

WHEREAS, the Local Government Improvement Fund was created in 1989 by the State of New York to provide technical assistance and grants to establish, maintain and enhance records management programs in New York's more than 4300 local governments, and

WHEREAS, the LGRMIF was established with a sunset date in the original legislation to permit operations for a five year experiment, and

WHEREAS, the New York state legislature recognized the success of the LGRMIF in 1995 by extending operations for an additional five years to December 31, 2000, and

WHEREAS, the LGRMIF and the programs it supports has for almost ten years operated at a high standard of excellence to provide direct and significant benefit to local governments, including many in Erie County, at no cost to the taxpayers, and

WHEREAS, since 1993 LGRMIF has also sustained the Documentary Heritage Program (DHP) which preserves and makes available the recorded memories of all citizens through modest grants and a system of regional archivists working through the 3Rs council, and

WHEREAS, the LGRMIF and DHP have benefitted citizens and institutions in the region served by Western New York through sixteen grants totaling \$84,799 statewide, and

WHEREAS, the grants, consultations, workshops and other services to Erie County and Western New York and its constituents from LGRMIF have contributed significantly to improved services to the public and to the economical and responsive administration, saving taxpayer dollars, and

WHEREAS, there is still much to accomplish in Western New York, Erie County, local governments and cultural/educational institutions throughout the state dealing with the ever increasing challenges posed by changing technologies and growing number of records and record users, and

WHEREAS, grants and technical advice are essential in assisiting all such institutions in developing records management programs adequate to the demands of government and citizens, and demand for the grants and services remains critical,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby support making the LRGMIF permanent, and be it further

RESOLVED, that the Erie County Legislature does hereby memorialize the State Assembly and the State Senate to adopt A. 7563 and S. 5023, respectively to accomplish this objective, and be it further

RESOLVED, that certified copies be sent to Governor George Pataki, Assembly Speaker Sheldon Silver, Senate Majority Leader Joseph Bruno, members of the Western New York Delegation to the State Assembly and State Senate, Erie County Clerk David J. Swarts, Heidi A. Bramford, DHP Regional Archivist (4455 Genesee Street, P.O. Box 400, Buffalo NY 14225-0400), and Richard Geer, Records Manager at ECDISS (Rath Building – 6th floor, Room 635, Buffalo NY 14202)

Fiscal Impact: To be determined

MS. PEOPLES moved the adoption of the resolution. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 24 – MR. DUSZA presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 182 Re: Funding for Community Services. (Int. 10-8)

WHEREAS, the Legislature set aside funds in the 1999 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 \$5,000 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>
GRACE EVENTS, INC.	N/A	\$3,500

MSGR. JAMES A. HEALY FOUNDATION, INC.	N/A	\$1,500
TOTAL		\$5,000

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, Jim Cotter – Administrative Assistant Department of Budget, Management and Finance, Jennifer Anger – Administrative Assistant Erie County Legislature, and three (3) copies to First Assistant County Attorney Alan Gerstman and one (1) copy each to Jack Gaylord, Jr. (Grace Events Inc., 13419 Quaker St., Collins, NY 14034 and Richard Slisz, Chairman, (Msgr. James A. Healy Foundation Inc., 216 Niagara Shore Drive, Tonawanda, NY 14150.

Fiscal Impact: Appropriation of 1999-budgeted funds.

MR. DUSZA moved to amend the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

WHEREAS, the Legislature set aside funds in the 1999 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 \$5,000 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>
DRUM CORPS INTERNATIONAL, INC.	N/A	\$3,500
MSGR. JAMES A. HEALY FOUNDATION, INC.	N/A	\$1,500
TOTAL		\$5,000

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, Jim Cotter – Administrative Assistant Department of Budget, Management and Finance, Jennifer Anger – Administrative Assistant Erie County Legislature, and three (3) copies to First Assistant County Attorney Alan Gerstman and one (1) copy each to Jack Gaylord, Jr. (Drum Corps International, Inc. c/o Grace Events Inc., 13419 Quaker St., Collins, NY 14034 and Richard Slisz, Chairman, (Msgr. James A. Healy Foundation Inc., 216 Niagara Shore Drive, Tonawanda, NY 14150.)

Fiscal Impact: Appropriation of 1999-budgeted funds.

MR. DUSZA moved the adoption of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 25 - MS. PEOPLES presented the following resolution and moved for immediate consideration. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 183

Re: Supporting Initiatives Designed to Fight
Against Sexual Assault, Rape and Child Abuse.
(Int. 10-9)

WHEREAS, the members of the Erie County Legislature support initiatives that will extend a greater realm of protection to members of society, and

WHEREAS, Governor George Pataki's comprehensive package of criminal justice reform measures are aimed at strengthening penalties and providing better enforcement tools in the fight against sexual assault, rape and child abuse, and

WHEREAS, in the interest of safety and protection the Erie County Legislators are in favor of the above criminal justice reform package and advocates for the immediate passage of such legislation, and

WHEREAS, three of the four initiatives have already passed the New York State Senate, but all are still pending action in the New York Assembly, and

WHEREAS, this important legislation includes: Expansion of the DNA Database to require convicted felons to submit DNA samples; Sexual Assault Reform Act to give women greater protection from rape and sexual assault; Civil Confinement of Sexually Violent Predators who are prone to repeat offenses such as rape and child abuse; and Consecutive Sentences for Serial Rapist to ensure that serial rapists serve time for each rape, not just one, and

WHEREAS, on April 19, 1999, in accordance with Article III section 18 of the State Constitution and Article 2-A of the Legislative Law, certain members of the New York State Assembly delivered to the Clerk of the Assembly a request for the convening of the New York State Legislature in extraordinary session to consider and act upon Consecutive Sentences for Serial Rapists (A.2913); Expansion of the DNA Identification Index (A2974-A); Sexual Assault Reform Act (A.3062-A); and Civil Confinement of Sexually Violent Predators (A.3395), and

WHEREAS, pursuant to said Constitutional and Legislative Law provisions, an extraordinary session shall be convened when two-thirds of the members of each house of the legislature sign a petition requesting such an extraordinary session, and

WHEREAS, the Erie County Legislature fully supports any effort that advocates for the timely passage of the above mentioned legislation.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby endorse and support the above mentioned legislation now before the New York State Legislature, which would undoubtedly provide additional safety provisions to our society, and be it further

RESOLVED, that this Honorable Body does hereby urge the New York Legislature, namely the New York Assembly, and the individual Assembly members thereof, to execute the appropriate petition and convene in an extraordinary session to immediately act on the above mentioned legislative initiatives, and be it further

RESOLVED, that certified copies be forward to the Western New York delegation to the New York State Legislature, Assembly Speaker Sheldon Silver and Governor George Pataki.

Fiscal Impact: none for resolution

MS. PEOPLES moved to amend the resolution. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

WHEREAS, the members of the Erie County Legislature support initiatives that will extend a greater realm of protection to members of society, and

WHEREAS, Governor George Pataki's comprehensive package of criminal justice reform measures are aimed at strengthening penalties and providing better enforcement tools in the fight against sexual assault, rape and child abuse, and

WHEREAS, through past actions and in this resolution, in the interests of the general public safety and the protection of our residents, the Erie County Legislature favors legislation aimed at reforming the criminal justice system, and

WHEREAS, two of four specific initiatives have been adopted by the state senate; all four await consideration in the state assembly, and

WHEREAS, this important legislation includes: Expansion of the DNA Database to require convicted felons to submit DNA samples; Sexual Assault Reform Act to give women greater protection from rape and sexual assault; Civil Confinement of Sexually Violent Predators who are prone to repeat offenses such as rape and child abuse; and Consecutive Sentences for Serial Rapist to ensure that serial rapists serve time for each rape, not just one, and

WHEREAS, on April 19, 1999, in accordance with Article III section 18 of the State Constitution and Article 2-A of the Legislative Law, certain members of the New York State Assembly delivered to the Clerk of the Assembly a request for the convening of the New York State Legislature in extraordinary session to consider and act upon Consecutive Sentences for Serial Rapists (A.2913); Expansion of the DNA Identification Index (A2974-A); Sexual Assault Reform Act (A.3062-A); and Civil Confinement of Sexually Violent Predators (A.3395), and

WHEREAS, pursuant to said Constitutional and Legislative Law provisions, an extraordinary session shall be convened when two-thirds of the members of each house of the legislature sign a petition requesting such an extraordinary session, and

WHEREAS, procedural questions have arisen concerning the method by which Assembly members have sought to have this legislation considered; constitutional scholars are currently studying whether members of the Assembly may petition for an extraordinary session of the Legislature while the current legislative session is still underway, and

WHEREAS, regardless of the manner by which the legislation is considered, the Erie County Legislature is prepared to endorse the legislation mentioned above and is prepared to urge the Assembly and Senate to agree on identical bills to achieve that end,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby memorialize the New York State Assembly to adopt A.2913, A.3062-A, A.2974-A and A.3395, and the New York State Senate to draft and adopt legislation identical to A.2974-A and A.3395, as a means by which the state can enhance the protection of the general public, and be it further

RESOLVED, that this Honorable Body does hereby urge swift adoption of said legislation in advance of the current session's adjournment, and be it further

RESOLVED, that certified copies of this resolution be sent to Governor George Pataki, Assembly Speaker Sheldon Silver, Senate Majority Leader Joseph Bruno, and to the Western New York delegation to the State Assembly and State Senate.

Fiscal Impact: none for resolution

MS. PEOPLES moved the adoption of the resolution as amended. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 26 - MR. MARSHALL moved to discharge the GOVERNMENT AFFAIRS COMMITTEE from further consideration of Intro. 7-2. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 184 RE: Support to Make Unfunded State Mandates Voluntary

WHEREAS, unfunded mandates shift the responsibility and cost of carrying out programs from state to local governments, and

WHEREAS, this forces local jurisdictions to cut existing services or to raise property tax levies to cover additional requirements, and

WHEREAS, the New York Senate has introduced Senate Bill (S.1290) to make compliance with new state mandates, once determined to be unfunded, voluntary for local governments, school districts, special districts, or any agency, authority commission, department or instrumentality thereof,

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature believes this provision would be very helpful for saving taxpayers money, and be it further

RESOLVED, that this Honorable Body does hereby memorialize the New York State Legislature to pass and Governor Pataki to sign into law S.1290 to give local government entities the ability to opt out of unfunded mandates, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Governor George Pataki and all the Western New York delegation.

Fiscal impact: possible taxpayer savings

MR. MARSHALL moved to amend the resolution to include et al sponsorship. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MR. MARSHALL moved to approve the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 27 – MR. FITZPATRICK moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 9D-10. MS. PEOPLES seconded.

RESOLUTION NO. 185 RE: Erie County Correctional Facility Electronic Security System.

WHEREAS, the Department of Public Works received bids on February 4, 1999 for the Erie County Correctional Facility Expansion, Electronic Security System, and

WHEREAS, the bid for the electronic security system was over the budget estimate, and

WHEREAS, the electronic security system was rebid by the Department of Public Works and received on April 28, 1999, and

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

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into the following contract for the Erie County Correctional Facility

Expansion:

ELECTRONIC SECURITY SYSTEM

Normet Industries, Inc.

Base Bid	\$727,000.00	
Alt. Bid ES-3	(-32,000.00)	
Total contract		\$695,000.00

and be it further,

RESOLVED, that this contract be a part of, and added to, the previously approved contracts for the General Construction, HVAC, Plumbing and Electrical work approved by your Honorable Body on February 18, 1999, and be it further,

RESOLVED, that this contract for Normet Industries, Inc. have access to the construction contingency fund allocated for the General Construction, HVAC, Plumbing and Electrical contracts approved by your Honorable Body on February 18, 1999, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above in the total amount of \$695,000.00 from the 1999 ECCF Expansion, Fund 410, Project 127, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner; one copy to the Office of Budget, Management and Finance; and one copy to the Comptroller's Office.

MS. PEOPLES moved the adoption of the resolution. MR. FITZPATRICK seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 28 - MS. CHASE moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 10M-14 From: LEGISLATOR CHASE Re: Greycliff Conservancy

CHAIRMAN SWANICK directed that Comm. 10M-14 be referred to the COMMUNITY ENRICHMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 29 - (Comm. 10E-1) Investment Earnings 1998.

Received and referred to the FINANCE & MANGEMENT COMMITTEE.

Item 30 - (Comm. 10E-2) Letter to ECC Student Trustee Re: Integrating ECC's Student Government Associations.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM LEGISLATOR DUSZA

Item 31 - (Comm. 10E-3) Copy of Letter to Assemblyman Tokasz Re: Seeking Support for "Drums Along the Waterfront"

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 32 - MS. PEOPLES presented the following and moved for immediate consideration. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 186

Re: Ratification of the Collective Bargaining Agreement Between Erie County & NYSNA 7/1/98 - 6/30/01. (Comm. 10E-4)

WHEREAS, the County of Erie and the New York State Nurses Association have reached an agreement covering the working conditions, including wages and fringe benefits, for those employees of the County of Erie who are Registered Nurses and employed in the ECMC Network or the Erie County Department of Health for the period July 1, 1998 through June 30, 2001;

NOW, THEREFORE, BE IT

RESOLVED, that the attached amendments to the 1993-97 Collective Bargaining Agreement as well as the imposition by the Erie County Legislature dated February 4, 1999 are hereby approved effective July 1, 1998 except as otherwise specified and agreed to and shall remain in full force and effect until June 30, 2001; and be it further

RESOLVED, that said benefits and salary schedules in percentage increases be extended to all employees covered by said Agreement who were on the payroll as of Friday, April 30, 1999; and be it further

RESOLVED, that the County Executive be authorized to enact said agreement; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Personnel Department, Division of Labor Relations, Division of Budget and Management, ECMC, Health Department and Comptroller.

MS. PEOPLES moved the adoption of the resolution. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES - DEBENEDETTI, DUSZA, HOLT, FISHER, FITZPATRICK, KUWIK, MARINELLI, OLMA, PEOPLES, SWANICK, CHASE, GREENAN, LARSON, MARSHALL, PAULY, RANZENHOFER, and WEINSTEIN. AYES - 17, NOES - 0.

Item 33 - (Comm. 10E-5) Youth Services - Detention Facility Staffing Adjustment.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 34 - (Comm. 10E-6) Health - Healthy Women's Partnership 4/1/99 - 3/31/00.

Received and referred to the HEALTH COMMITTEE.

Item 35 - (Comm. 10E-7) Comptroller - External Quality Review of Audit Function.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 36 - MS. PEOPLES presented the following and moved for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 187

Re: Amended Abstracts of Various Town Budgets & Special District Budgets for 1999. (Comm. 10E-8)

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

BOSTON FOR THE YEAR 1999	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$1,108,697.00	\$928,338	\$180,359.00
HIGHWAY FUNDS	\$843,103.00	\$312,800	\$530,303.00
TOTAL TOWN & HIGHWAY	\$1,951,800.00	\$1,241,138	\$710,662.00
FIRE PROTECTION	\$512,739.00	\$12,000	\$500,739.00
AMBULANCE	\$87,884.00	\$7,400	\$80,484.00
REFUSE & GARBAGE	\$369,113.00	\$40,553	\$328,560.00
SEWER DISTRICT	\$1,211.00	\$0	\$1,211.00
WATER DISTRICTS	\$171,965.00	\$15,578	\$156,387.00
IN LIEU OF TOWN TAX	\$7,000.00	\$0	\$7,000.00
LIGHTING DISTRICTS	\$23,800.00	\$3,050	\$20,750.00
ECSD PREM ASSMNT	\$0	\$0	\$0.00
UNPAID WATER	\$746.01	\$0	\$746.01
DEMOLITION CHARGES	\$1,450.00	\$0	\$1,450.00
TOTAL SPECIAL DISTRICT	\$1,175,908.01	\$78,581	\$1,097,327.01
GRAND TOTALS	\$3,127,708.01	\$1,319,719	\$1,807,989.01

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

CLARENCE FOR THE YEAR 1999	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$6,517,636.00	\$5,208,710	\$1,308,926.00
HIGHWAY FUNDS	\$2,471,915.00	\$1,100,257	\$1,371,658.00
TOTAL TOWN & HIGHWAY	\$8,989,551.00	\$6,308,967	\$2,680,584.00
FIRE DISTRICT	\$466,788.00	\$0	\$466,788.00
FIRE PROTECTION	\$1,132,533.00	\$0	\$1,132,533.00
CENTRAL ALARM SYSTEM	\$120,822.00	\$0	\$120,822.00
DRAINAGE DISTRICT	\$12,647.00	\$0	\$12,647.00
WATER DISTRICT	\$3,440,537.00	\$2,801,305	\$639,232.00
SEWER DISTRICT	\$319,102	\$44,930	\$274,172.00
WASTEWATER DISTRICT	\$181,164	\$146,975	\$34,189.00
SPECIAL ASSESSMENTS	\$485.00	\$0	\$485.00
DELINQUENT	\$71,758.63	\$0	\$71,758.63
COMMUNITY DEVLPMNT	\$100,000.00	\$100,000	\$0.00
LIGHTING DISTRICTS	\$9,800.00	(\$1,500)	\$11,300.00
OMITTED TAX	\$0	\$0	\$0
TOTAL SPECIAL DISTRICT	\$5,855,636.63	\$3,091,710	\$2,763,926.63
GRAND TOTALS	\$14,845,187.63	\$9,400,677	\$5,444,510.63

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

COLDEN FOR THE YEAR 1999	APPROPRIATION	ESTIMATED EVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$513,898.00	\$475,195	\$38,703.00
HIGHWAY FUNDS	\$528,897.00	\$139,219	\$389,678.00
TOTAL TOWN & HIGHWAY	\$1,042,795.00	\$614,414	\$428,381.00
AURORA-COLDEN FIRE	\$29,921.97	\$0	\$29,921.97
COLDEN FIRE DISTRICT	\$312,475.00	\$0	\$312,475.00
REFUSE DISTRICT	\$159,897.00	\$2,751	\$157,146.00
COMMUNITY DEV FUND	\$25,000.00	\$25,000	\$0.00
LIGHTING DISTRICTS	\$28,000.00	\$1,644	\$26,356.00
TOTAL SPECIAL DISTRICT	\$555,293.97	\$29,395	\$525,898.97
GRAND TOTALS	\$1,598,088.97	\$643,809	\$954,279.97

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

COLLINS FOR THE YEAR 1999	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$529,595.00	\$225,873.00	\$303,722.00
GENERAL FUND-TOWN ONLY	\$144,847.00	\$144,847.00	\$0.00
HIGHWAY TOWNWIDE	\$7,000	\$0	\$7,000.00
HIGHWAY - TOWN ONLY	\$615,282.00	\$453,814.00	\$161,468.00
TOTAL TOWN & HIGHWAY	\$1,296,724.00	\$824,534.00	\$472,190.00
FIRE PROT DIST	\$97,721.63	\$61,762.00	\$35,959.63
COLLINS FIRE DIST	\$115,167.00	\$0	\$115,167.00
LIGHT DISTRICTS	\$15,500.00	\$1,500.00	\$14,000.00
REFUSE & GARBAGE	\$61,022.00	\$43,900.00	\$17,122.00
LIBRARY FUND	\$7,000.00	\$0	\$7,000.00
WATER DISTRICT	\$239,519.00	\$167,490.00	\$72,029.00
DELINQUENT WATER	\$7,650.86	\$0	\$7,650.86
OMITTED TAX	\$0	\$0	\$0
DEMOLITION	\$0	\$0	\$0
TOTAL SPECIAL DISTRICT	\$543,580.49	\$274,652.00	\$268,928.49
GRAND TOTALS	\$1,840,304.49	\$1,099,186.00	\$741,118.49

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

CONCORD FOR THE YEAR 1999	APPROPRIATION	ESTIMATED EVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$860,918.00	\$430,412	\$430,506.00
GENERAL FUND-TOWN ONLY	\$419,683.00	\$419,683	\$0.00
HIGHWAY FUND - TOWN ONLY	\$1,109,879.00	\$654,626	\$455,253.00
HIGHWAY FUNDS TOWNWIDE - BRIDGES	\$22,000.00	\$0	\$22,000.00
JOINT PROJECTS	\$97,500.00	\$97,500	\$0.00
COMMUNITY DEVELOP	\$30,000.00	\$30,000	\$0.00
TOTAL TOWN & HIGHWAY	\$2,539,980.00	\$1,632,221	\$907,759.00
LIBRARY	\$5,600.00	\$5,600	\$0.00
FIRE PROTECTION DIST.	\$290,177.00	\$7,500	\$282,677.00
LIGHTING DISTRICTS	\$18,000.00	\$0	\$18,000.00
SEWER DISTRICT	\$83,500.00	\$0	\$83,500.00
OMITTED TAX	\$0	\$0	\$0
KISS BRDG WATER DIST	\$4,900.00	\$0	\$4,900.00
KISS BRDG SEWER DIST	\$16,400.00	\$0	\$16,400.00
TOTAL SPECIAL DISTRICT	\$418,577.00	\$13,100	\$405,477.00
GRAND TOTALS	\$2,958,557.00	\$1,645,321	\$1,313,236.00

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RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

EDEN FOR THE YEAR 1999	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$1,479,221.00	\$1,089,178	\$390,043.00
HIGHWAY FUNDS	\$913,659.00	\$226,500	\$687,159.00
TOTAL TOWN & HIGHWAY	\$2,392,880.00	\$1,315,678	\$1,077,202.00
WATER DISTRICT	\$86,530.00	\$0	\$86,530.00
FIRE PROTECTION DIST.	\$181,075.00	\$5,000	\$176,075.00
LIGHTING DISTRICTS	\$66,000.00	\$2,000	\$64,000.00
REFUSE & GARBAGE	\$433,765.00	\$19,500	\$414,265.00
HAMBURG WATER IMPV	\$3,790.46	\$0	\$3,790.46
DELINQUENT WATER	\$2,143.97	\$0	\$2,143.97
OMITTED TAX	\$0	\$0	\$0.00
AGRIC PENALTY	\$0	\$0	\$0.00
DELINQUENT GARBAGE	\$246.80	\$0	\$246.80
TOTAL SPECIAL DISTRICT	\$773,551.23	\$26,500	\$747,051.23
GRAND TOTALS	\$3,166,431.23	\$1,342,178	\$1,824,253.23

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RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

EVANS FOR THE YEAR 1999	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$3,077,026.00	\$1,217,460	\$1,859,566.00
GENERAL FUND-TOWN ONLY	\$2,528,110.00	\$1,524,185	\$1,003,925.00
HIGHWAY FUNDS - TOWN ONLY	\$1,888,112.00	\$578,150	\$1,309,962.00
DEBT SERVICE	\$632,079.00	\$632,079	\$0.00
COMMUNITY DEVELOPMENT	\$200,000.00	\$200,000	\$0.00
RISK RETEN/INS RESERVE	\$275,000.00	\$275,000	\$0.00
HIGHWAY FUNDS - TOWNWIDE	\$21,300.00	\$300	\$21,000.00
TOTAL TOWN & HIGHWAY	\$8,621,627.00	\$4,427,174	\$4,194,453.00
REFUSE & GARBAGE COLLECTION	\$1,034,211	\$262,293.70	\$771,917.30
STREET LIGHTING	\$271,597.00	\$12,350	\$259,247.00
FIRE PROTECTION	\$681,268.00	\$19,000	\$662,268.00
HYDRANT	\$5,200.00	\$75	\$5,125.00
WATER DISTRICTS	\$2,182,778.00	\$2,117,164	\$65,614.00
DEMOLITION	\$8,486.00	\$0	\$8,486.00
FIRE DISTRICTS	\$535,690.00	\$40,000	\$495,690.00
DELINQUENT WATER	\$198,933.80	\$0	\$198,933.80
OMITTED TAX	\$0	\$0	\$0
TOTAL SPECIAL DISTRICT	\$4,918,163.80	\$2,450,882.70	\$2,467,281.10
GRAND TOTALS	\$13,539,790.80	\$6,878,056.70	\$6,661,734.10

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RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

HAMBURG FOR THE YEAR 1999	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$9,611,548.00	\$3,431,048	\$6,180,500.00
GENERAL FUND-TOWN ONLY	\$7,542,959.00	\$4,987,959	\$2,555,000.00
HIGHWAY FUNDS - TOWN ONLY	\$3,422,329.00	\$532,329	\$2,890,000.00
HIGHWAY FUNDS TOWNWIDE	\$15,024.00	\$8,024	\$7,000.00
GOLF COURSE	\$539,403.00	\$539,403	\$0.00
DEBT SERVICE	\$2,069,696.00	\$2,069,696	\$0.00
COMMUNITY DEVELOPMENT	\$734,346.00	\$734,346	\$0.00
INSURANCE RESERVE	\$1,058,500.00	\$1,058,500	\$0.00
SUNDANCE PARK	\$0	\$0	\$0.00
TOTAL TOWN & HIGHWAY	\$24,993,805.00	\$13,361,305	\$11,632,500.00
LIBRARY DEBT SERVICE	\$2	\$2	\$0.00
STREET LIGHTING	\$950,574.00	\$100,574	\$850,000.00
TOWN HYDRANT	\$273,566.00	\$83,566	\$190,000.00
FIRE PROTECTION	\$2,807,514.00	\$72,014	\$2,735,500.00
SEWER DISTRICTS	\$3,113,753.00	\$529,449	\$2,584,304.00
WATER DISTRICTS	\$1,517,677.00	\$157,277	\$1,360,400.00
RAVENWOOD DRAINAGE	\$15,802.00	\$1,302	\$14,500.00
RAVENWOOD RD IMP	\$80,638.00	\$5,638	\$75,000.00
DELINQUENT WATER	\$9,230.61	\$0	\$9,230.61
UNPAID SEWER	\$243.00	\$0	\$243.00
TREE REMOVAL	\$450.00	\$0	\$450.00
OMITTED TAX	\$2,198.75	\$0	\$2,198.75
TOTAL SPECIAL DISTRICT	\$8,771,648.36	\$949,822	\$7,821,826.36
LAKE VIEW FIRE DISTRICT	\$575,806.00	\$86,600	\$489,206.00
GRAND TOTALS	\$34,341,259.36	\$14,397,727	\$19,943,532.36

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

MARILLA FOR THE YEAR 1999	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$583,660.00	\$583,660.00	\$0.00
HIGHWAY FUNDS	\$275,950.00	\$199,050.00	\$76,900.00
COMMUNITY DEVELOP	\$100.00	\$100.00	\$0.00
TOTAL TOWN & HIGHWAY	\$859,710.00	\$782,810	\$76,900.00
WATER DISTRICT	\$426,686.00	\$27,900.00	\$398,786.00
FIRE DISTRICT	\$196,937.00	\$100.00	\$196,837.00
LIGHTING DISTRICTS	\$3,400.00	\$100.00	\$3,300.00
SANITATION	\$250,855.00	\$10,850.00	\$240,005.00
OMITTED TAX	\$1,463.50	\$0	\$1,463.50
TOTAL SPECIAL DISTRICT	\$879,341.50	\$38,950.00	\$840,391.50
GRAND TOTALS	\$1,739,051.50	\$821,760.00	\$917,291.50

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RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

NEWSTEAD FOR THE YEAR 1999	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$788,808.00	\$315,771	\$473,037.00
GENERAL FUND-TOWN ONLY	\$106,684.00	\$106,684	\$0.00
HIGHWAY FUND TOWNWIDE	\$6,774.00	\$1,000	\$5,774.00
HIGHWAY FUND-TOWN ONLY	\$575,456.00	\$575,456	\$0.00
TOTAL TOWN & HIGHWAY	\$1,477,722.00	\$998,911	\$478,811.00
WATER DISTRICT	\$439,595.00	\$227,830	\$211,765.00
REFUSE/GARBAGE	\$241,100.00	\$28,000	\$213,100.00
FIRE PROTECTION DIST.	\$247,560.00	\$7,000	\$240,560.00
DELINQUENT WATER	\$6,258.27	\$0	\$6,258.27
DELINQUENT REFUSE	\$132.00	\$0	\$132.00
OMITTED TAX	\$1,020.86	\$0	\$1,020.86
SEWER DISTRICT	\$14,800.00	\$14,800	\$0.00
TOTAL SPECIAL DISTRICT	\$950,466.13	\$277,630	\$672,836.13
GRAND TOTALS	\$2,428,188.13	\$1,276,541	\$1,151,647.13

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

SARDINIA FOR THE YEAR 1999	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$424,723.00	\$289,858	\$134,865.00
SPECIAL REVENUE	\$0	\$0	\$0
HIGHWAY FUNDS	\$341,077.00	\$188,665	\$152,412.00
TOTAL TOWN & HIGHWAY	\$765,800.00	\$478,523	\$287,277.00
FIRE PROTECTION	\$116,285.00	\$3,450	\$112,835.00
LIGHT DISTRICTS	\$19,955.00	\$500	\$19,455.00
OMITTED TAX	\$407.81	\$0	\$407.81
AGRIC PENALTY	\$0	\$0	\$0
TOTAL SPECIAL DISTRICT	\$136,647.81	\$3,950	\$132,697.81
GRAND TOTALS	\$902,447.81	\$482,473	\$419,974.81

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

WALES FOR THE YEAR 1999	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$409,523.73	\$377,125.00	\$32,398.73
HIGHWAY FUNDS	\$266,911.99	\$173,462.40	\$93,449.59
TOTAL TOWN & HIGHWAY	\$676,435.72	\$550,587.40	\$125,848.32
FIRE PROTECTION	\$96,000.00	\$3,000.00	\$93,000.00
AURORA WALES FIRE DST	\$66,659.63	\$0	\$66,659.63
LIGHT DISTRICT #1	\$4,400.00	\$300	\$4,100.00
LIGHT DISTRICT #2	\$3,080.00	\$114.00	\$2,966.00
AGRIC PENALTY	\$460.37	\$0	\$460.37
OMITTED TAX	\$3,850.83	\$0	\$3,850.83
REFUSE DISTRICT	\$138,969.48	\$2,384.98	\$136,584.50
TOTAL SPECIAL DISTRICT	\$313,420.31	\$5,798.98	\$307,621.33
GRAND TOTALS	\$989,856.03	\$556,386.38	\$433,469.65

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

WEST SENECA FOR THE YEAR 1999	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$16,402,953.00	\$9,034,015	\$7,368,938.00
HIGHWAY FUNDS	\$6,508,947.00	\$1,008,130	\$5,500,817.00
HIGHWAY BRIDGES	\$7,000.00	\$0	\$7,000.00
TOTAL TOWN & HIGHWAY	\$22,918,900.00	\$10,042,145	\$12,876,755.00
WATER DISTRICTS	\$241,663.00	\$47,416	\$194,247.00
FIRE DISTRICTS	\$2,457,853.00	\$20,500	\$2,437,353.00
GAS LIGHT DIST.	\$102,661.00	\$10,250	\$92,411.00
GEN LIGHT DIST	\$0	\$0	\$0
ELEC LIGHT DIST	\$82,919.00	(\$3,675)	\$86,594.00
GRASS & WEED CUT	\$0	\$0	\$0
SEWER DISTRICTS	\$4,410,809.00	\$1,575,747	\$2,835,062.00
DRAINAGE DIST	\$0	\$0	\$0
SPECIAL ASSMNT	\$227,457.00	\$0	\$227,457.00
ACCTS RECEIVABLE	\$520.30	\$0	\$520.30
DELINQUENT WATER	\$1,646.14	\$0	\$1,646.14
OMITTED TAX	\$0	\$0	\$0
TOTAL SPECIAL DISTRICT	\$7,525,528.44	\$1,650,238	\$5,875,290.44
GRAND TOTALS	\$30,444,428.44	\$11,692,383.00	\$18,752,045.44

(have to scan in)

MS. PEOPLES moved the adoption of the resolution. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

Item 37 – (Comm. 10E-9) Sale of County Owned Inventory SBL# 250.110-9-19 453
Adams Avenue, Town of Evans.

Item 38 – (Comm. 10E-10) Sale of County Owned Inventory SBL# 250.130-4-38 Arthur
Avenue, Town of Evans.

Item 39 – (Comm. 10E-11) Sale of County Owned Inventory SBL# 250.140-4-35
Northfield Street, Town of Evans.

Item 40 – (Comm. 10E-12) Granting National Fuel Gas Dist. Corp. a Right of Way Over,
Under/and/or Through Lands of EC in Town of Hamburg, S-6400 Schultz Road.

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

Item 41 – (Comm. 10E-13) Senior Services – Authorization to Amend Energy Grant
Budgets.

Received and referred to the SOCIAL SERVICES.

Item 42 – (Comm. 10E-14) ECSD No. 4 Contract No. 26L Contract Close Out Tom
Greenauer Development, Inc.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 43 - MS. PEOPLES presented the following and moved for immediate
consideration. MR. OLMA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 188

Re: Re-Appointments & Appointments to
EC Council of the Disabled. (Comm. 10E-
15)

RESOLVED, that the Erie County Legislature does hereby confirm the re-appointment of Robert
M. McPartland, of 47 Groveland Street Buffalo, New York 14214, Michael Scruggs, of 113 Bennett
Village Terrace Buffalo, New York 14215, Sherlyn A. Kolke of 106 Old Meadow Road East Amherst,
New York 14051, Kathy S. Hoffinan, of P.O. Box 355 Clarence Center, New York 14032, Elizabeth
Wagner of 72 Pearl Avenue, Blasdell, New York 14219, Miriam R. Callahan of 437 Potters Road
Buffalo, New York 14220, Kris A. Piazza, of 89 Shoreman. Parkway, Buffalo, New York 14216, L.

Blakely Ingram of 350 Lisbon Avenue Buffalo, New York 14215 as members of the Erie County Council of the Disabled. Their term will expire on June 30, 2001, and be it further

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of Zoe A. Koston of the UCPA of WNY, 7 Community Drive Buffalo, New York 14225, Jack K. Manganello of 54 North Street Hamburg, New York 14075, and Michelle Jaromin, Vocational Rehabilitation Counselor with VESID, Donovan Office Building 125 Main Street, Room #817 Buffalo, New York 14203 as members of the Erie County Council of the Disabled. Their term will expire on June 30, 2001, and be it further

RESOLVED, That a certified copies of this resolution be forwarded to County Executive Dennis Gorski, Emily Kaznica, Director of Erie County Office for Disabled, Robert M. McPartland, Michael Scruggs, Sherlyn A. Kolke, Kathy S. Hoffman, Elizabeth Wagner, Miriam R. Callahan, Kris A. Piazza, I Blakely Ingram, Zoe A. Koston, Jack K. Manganello, and Michelle Jaromin, Vocational Rehabilitation Counselor with VESID .

MS. PEOPLES moved the adoption of the resolution. MR. OLMA seconded.

CARRIED UNANMOUSLY.

Item 44 – (Comm. 10E-16) Re-Appointments to Traffic Safety Board.

Received, filed and printed.

May 17, 1999

The Honorable
Erie County Legislature
25 Delaware Avenue
Buffalo, New York 14202

Honorable Members:

Pursuant to the provisions of the Erie County Charter, Chapter 16, Article 1605, I Dennis T. Gorski, do hereby submit for your information the following individuals for reappointment to the Erie County Traffic Safety Board:

Appointment

Term Expires

Mark Buckley
Special Project Producer
WGRZ-TV
295 Delaware Avenue
Buffalo, New York 14202

12-31-01

Russell J. Deveso
Regional Vice President

12-31-01

NYS Motor Truck Association
145 Ganson Street
Buffalo, New York 14203

Walter Korth
Chairman, FAIR Committee
C/O Lancaster Crushed Stone
Main Street
Williamsville, New York 14221

12-31-01

Very truly yours,

DENNIS T. GORSKI
COUNTY EXECUTIVE

DTG/rjh
CC: John Sullivan

Item 45 – (Comm. 10E-17) Appointments & Re-Appointments to EC Mental Hygiene
Community Services Board.

Received, filed and printed.

April 26, 1999

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

Honorable Members:

Re: Appointments and Reappointments to the Erie County Mental Hygiene Community Services Board

I, Dennis T. Gorski, County Executive of the County of Erie, pursuant to the power vested in me by Section 1 l-B-03 of the Erie County Charter, and as provided in Revised Article 41 of the New York State Mental Hygiene Law, do hereby submit for your information (re)appointments to the Erie County Mental Hygiene Community Services Board.

AT LARGE MEMBERS

TERM TO EXPIRE
DECEMBER 31

Ms. Jeanne Aiple
191 Westfall Drive
Tonawanda, NY 14150

Appointment

2001

Mrs. Ellen T. Kennedy
61 Anderson Place
Buffalo, NY 14222

Reappointment

2000

Ms. Dorothy Pappas
Director of Social Services
Buffalo Psychiatric Center
400 Forest Avenue
Buffalo, NY 14222

Reappointment

2000

AT LARGE MEMBERS

**TERM TO EXPIRE
DECEMBER 31**

Ms. Karen Welch
792 Ashland Avenue
Buffalo, NY 14222

Appointment

2001

MENTAL HEALTH SUBCOMMITTEE

Mrs. Jeanne Aiple
191 Westfall Drive
Tonawanda, NY 14150

Reappointment

2001

Norman M. Cole, Ed.D
187 Patricia Drive
Tonawanda, NY 14150

Appointment

1999

Ms. Dora Reina Esplugas
8 Lakewood Drive
Orchard Park, NY 14127

Reappointment

2001

Mr. Jay Gilpatrick
24 Plymouth Avenue, Apt. 17
Buffalo, NY 14201-1722

Appointment

2000

Ms. Nancy Herman
24 Melody Lane
Cheektowaga, NY 14225

Appointment

2001

Ms. Fern Koch
28 Sunnydale Drive
Tonawanda, NY 14150

Appointment

2000

Ms. Suzette Mines
47 Thorton Avenue
Buffalo, NY 14215

Appointment

1999

Ms. Joan Muehlbauer
440 Southwood Drive
Kenmore, NY 14223

Appointment

2001

MENTAL HEALTH SUBCOMMITTEE

**TERM TO EXPIRE
DECEMBER 31**

Mr. Thomas Pirrung
35 Jasper Drive
Amherst, NY 14226

Reappointment

2000

Dr. Charles Sabatino
236 Hedstrom Drive
Amherst, NY 14226

Reappointment

2000

**MENTAL RETARDATION/DEVELOPMENTAL
DISABILITIES SUBCOMMITTEE**

Ms. Gail Baehre
132 Traverse Blvd.
Buffalo, NY 14223

Appointment

2000

Ms. Betty Brady
3 Eagles Trace
Williamsville, NY 14221

Reappointment

2001

Mr. Darren Jackson
14452 South Cascade Drive
Springville, NY 14141

Reappointment

2000

Ms. Betsy Polisoto
4702 Red Oak Court
Hamburg, NY 14075

Reappointment

2001

Ms. Elsie Rogers
4898 Smiley Terrace
Clarence, NY 14031

Reappointment

2001

ALCOHOLISM/SUBSTANCE ABUSE SUBCOMMITTEE

Mr. Anthony V. D'Amore
25 Matthew Drive
Lancaster, NY 14086

Reappointment

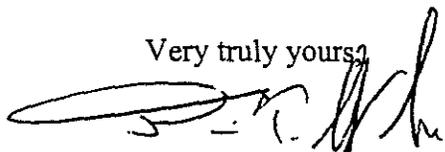
2001

ALCOHOLISM/SUBSTANCE ABUSE SUBCOMMITTEE

TERM TO EXPIRE
DECEMBER 31

Ms. Nancy Fortunato 94 Highview Circle Blasdell, NY 14219	Reappointment	2000
Bertha Laury, CSW 394 Minnesota Avenue Buffalo, NY 14215	Reappointment	2001
Ms. Alicia M. Monroe Action for Mental Health 3108 Main Street Buffalo, NY 14214	Appointment	2001
Ms. Loretta L. Renford 95 Maple Ridge Avenue Buffalo, NY 14215	Reappointment	2001
Mr. Samuel Todaro 2841 Southwestern Blvd. Orchard Park, NY 14127	Reappointment	2000

Very truly yours,



Dennis T. Gorski
Erie County Executive

Item 46 – (Comm. 10E-18) Emergency Services – Fire Safety Division Accept Donation of Various Concrete Sewer Pipes, Vaults, Cones & Manholes from City of Lackawanna.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 47 – (Comm. 10E-19) ECSD No. 4 Eminent Domain Proceedings Bowen Road Sanitary Sewer Replacement Contract Approval of Resolution.

Item 48 – (Comm. 10E-20) ESCD No. 6 Engineering Agreement Close-Out Structural Analysis for Plate & Frame Press Nussbaumer & Clark, Inc.

Item 49 – (Comm. 10E-21) EC/Southtowns Sewage Treatment Agency Engineering Agreement Close-Out Sludge Incinerator Compliance Services Project, Malcolm Pirnie.

Item 50 – (Comm. 10E-22) ECSD No. 4 – Contract No. 28L Pinetree Subtrunk Bid Opening.

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

Item 51 – (Comm. 10E-23) Senior Services – Authorization to Amend RSVP Grant Budget.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 52 – (Comm. 10E-24) Sale of County Owned Inventory Havard Street, Town of Hamburg SBL# 170.660-3-22, 170.660-3-23 & 170.660-3-24.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 53 – (Comm. 10E-25) Filling Vacant Positions 4/99.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM ECMC

Item 54 – (Comm. 10D-1) Board of Managers Finance Committee 5/7/99 Financial Statements for 3/31/99.

Received and referred to the HEALTH COMMITTEE.

FROM ERIE COUNTY MORGUE

Item 55 – (Comm. 10D-2) Monies & Other Property Found on Deceased Persons.

Received and referred to the HEALTH COMMITTEE.

FROM ECC

Item 56 – (Comm. 10D-3) Notice of Board of Trustees Committee Meetings Held 5/7/99 & 5/13/99 & Regular Meeting Held 5/19/99.

Received and filed.

Item 57 – (Comm. 10D-4) 1999-2000 ECC Budget.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 58 – (Comm. 10D-5) Integration of SGA & Publications.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM COUNTY ATTORNEY

Item 59 – (Comm. 10D-6) Notice of County Executive's Approval of Comm. 7E-16.

Received, filed and printed.

May 11, 1999

Ms. Laurie Manzella
Clerk Of The Legislature
25 Delaware Avenue
7 th Floor
Buffalo, New York 14202

Dear Ms. Manzella:

RE: Resolutions Reference Comm. 7E-16

Enclosed herein is a copy of the above Resolutions 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
First Asst. County Attorney

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 7E- 16, on Tuesday May 11, 1999 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 his 1st day of May 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 7E- 16, on Tuesday, May 11, 1999 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 DISAPPROVE and VETO said Resolution this _____ day of _____ 1999.

FROM ECMC

Item 60 – (Comm. 10D-7) Notice & Agenda of Board of Managers Meeting Held 5/13/99.

Received and referred to the HEALTH COMMITTEE.

FROM DEP

Item 61 – (Comm. 10D-8) SEQR Solicitation for Lead Agency Status Unlisted Action Big Sister Creek Streambank Protection Project.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 62 – (Comm. 10D-9) Notice of County Executive's Approval of Comm. 4E-6, 4E-21, Int. 5-10, 5-11, 5-12, 5-13, 5-15, Comm. 5E-12 & 5E-13.

Received, filed and printed.

May 12,1999

Ms. Laurie Manzella
Clerk Of The Legislature
25 Delaware Avenue
7" Floor
Buffalo, New York 14202

RE: Resolutions Reference Comm. 4E-6,4E-21, Int. 5-10, Int. 5-11, Int. 5-12, Int. 5-13, Int. 5-15, Comm. 5E-12 and Comm. 5E-13

Dear Ms. Manzella:

Enclosed herein is a copy of the above Resolutions 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 Gerstman
1st Assistant County Attorney

APG/sl

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 4E-6 on Tuesday, March 16, 1999 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 17th day of March, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 4E-6 on Tuesday, March 16, 1999 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 DISAPPROVE and VETO said Resolution this ___ day of _____ 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 4E-21 on Tuesday, March 16, 1999 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 17th day of March, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 4E-21 on Tuesday, March 16, 1999 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 DISAPPROVE and VETO said Resolution this ___ day of _____ 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 5-10 on Tuesday, March 16, 1999 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 17th day of March, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro 5-10 on Tuesday, March 16, 1999 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 DISAPPROVE and VETO said Resolution this ___ day of _____ 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro 5-11 on Tuesday, March 16, 1999 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 17th day of March, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro 5-11 on Tuesday, March 16, 1999 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 DISAPPROVE and VETO said Resolution this ___ day of _____ 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 5-12 on Tuesday, March 16, 1999 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 17th day of March, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro 5-12 on Tuesday, March 16, 1999 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 DISAPPROVE and VETO said Resolution this ___ day of _____ 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro 5-13 on Tuesday, March 16, 1999 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 17th day of March, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro 5-13 on Tuesday, March 16, 1999 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 DISAPPROVE and VETO said Resolution this ___ day of _____ 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro 5-15 on Tuesday, March 16, 1999 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 17th day of March, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro 5-15 on Tuesday, March 16, 1999 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 DISAPPROVE and VETO said Resolution this ___ day of _____ 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 5E-12 on Tuesday, March 16, 1999 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 17th day of March, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 5E-12 on Tuesday, March 16, 1999 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 DISAPPROVE and VETO said Resolution this ___ day of _____ 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 5E-13 on Tuesday, March 16, 1999 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 17th day of March, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 5E-13 on Tuesday, March 16, 1999 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 DISAPPROVE and VETO said Resolution this ___ day of _____ 1999.

Item 63 – (Comm. 10D-10) Notice of County Executive's Approval of Intros. 6-15 & 6-16.

Received, filed and printed.

May 12, 1999

Ms. Laurie Manzella
Clerk Of The Legislature
25 Delaware Avenue
7th Floor
Buffalo, New York 14202

RE: Resolutions Reference Intro. 6-15 and Intro. 6-16

Dear Ms. Manzella

Enclosed herein is a copy of the above Resolutions 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 Gerstman
1st Assistant County Attorney

APG/s

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 6-15, on Tuesday April 13, 1999 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 Resolution, this 15th day of April, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 6-15, on Tuesday, April 13, 1999 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 DISAPPROVE and VETO said Resolution this ____ day of ____ 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 6-16, on Tuesday April 13, 1999 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 Resolution, this 15th day of April, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 6-16, on Tuesday, April 13, 1999 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 DISAPPROVE and VETO said Resolution this ____ day of ____ 1999.

FROM ECC

Item 64 – (Comm. 10D-11) Notice of Board of Trustees Special Meeting Held 3/18/99.

Received and filed.

Item 65 – (Comm. 10D-12) Minutes of Board of Trustees Meeting Held 3/24/99.

Received and filed.

FROM DEP

Item 66 – (Comm. 10D-13) SEQR Negative Declaration Notice of Determination of Non-Significance Tow Path Park Land Transfer.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM DPW

Item 67 – (Comm. 10D-14) SEQR Notice of Determination of Non Significance Negative Declaration Erie County Courts Master Plan Implementation Project.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 68 – (Comm. 10D-15) Agenda for Board of Trustees Meeting to be Held 5/20/99.

Received and filed.

FROM DPW

Item 69 – (Comm. 10D-16) General Construction Work Masonry Restoration & Roof Replacement at EC Parks – Elma, Como & Ellicott Creek Parks.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM ECC

Item 70 – (Comm. 10D-17) Response to Comptroller's Audit of the Student Government Associations 9/1/97 – 5/31/98.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM DPW

Item 71 – (Comm. 10D-18) Buffalo & Erie County Public Library Asbestos Removal – Phase V.

Item 72 – (Comm. 10D-19) Rath Building Site Rehabilitation.

Item 73 – (Comm. 10D-20) Court Facilities Capital Project, Project Labor Agreement.

Item 74 – (Comm. 10D-21) Environmental Engineering Services – Various Projects (1998 Bond Fund).

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

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM REGION 9 FOREST PRACTICE BOARD

Item 75 – (Comm. 10M-1) Minutes of Meeting Held 4/22/99.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE TOWN OF TONAWANDA

Item 76 – (Comm. 10M-2) Proposed Eastern States Grain Mill Demolition 1132 Military Road, Town of Tonawanda, SEQR Lead Agency

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NFTA

Item 77 – (Comm. 10M-3) Metro Cash Flow Statements 4/1/98 – 3/31/99 & Projected Cash Flow Statements 4/1/99 – 3/31/00.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM ASSEMBLYMAN BURLING

Item 78- (Comm. 10M-4) Acknowledgement of Receipt of Resolutions.

Received and filed.

FROM ASSEMBLYMAN SILVER

Item 79 - (Comm. 10M-5) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM HALFWAY AUTO PARTS

Item 80 – (Comm. 10M-6) Letter to Legislator Fisher Re: Concerns Regarding Erie County Item Pricing Law.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE MENTAL HYGIENE COMMUNITY SERVICES BOARD

Item 81 – (Comm. 10M-7) Notice of Meeting to be Held 5/20/99.

Received and referred to the HEALTH COMMITTEE

FROM THE ERIE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

Item 82 – (Comm. 10M-8) Notice of meeting Held 5/18/99.

Received and filed.

FROM NYSDEC

Item 83 – (Comm. 10M-9) Fact Sheet Spaulding Composites Hazardous Waste Site, Town of Tonawanda.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM REVIEW COMMITTEE ERIE COUNTY
LOCAL LAW NO. 5 – 1996 (EC CLEAN AIR ACT)

Item 84 – (Comm. 10M-10) Report in Pursuant to Section 17 of the Law.

Received and referred to the HEALTH COMMITTEE.

FROM NYS BOARD OF REAL PROPERTY SERVICES

Item 85 – (Comm. 10M-11) List of Certified 1998 State Equalization Rates.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM GOVERNOR PATAKI

Item 86 - (Comm. 10M-12) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM NEW YORK STATE BOARD OF REAL PROPERTY SERVICES

Item 87- (Comm. 10M-13) List of Certified 1998 Class Equalization Rates.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

MEMORIAL RESOLUTIONS

Item 88 – Chairman Swanick requested that when the Legislature adjourn, it do so in memory of the victims of the recent Route 33 tragedy.

Item 89 – Ms. Marinelli requested that when the Legislature adjourn, it do so in memory of Joe Grisanti, Kenmore Firefighter.

Item 90 – Mr. Holt requested that when the Legislature adjourn, it do so in memory of the victims and the families of the Georgia school shootings.

Item 91 – Mr. Larson requested that when the Legislature adjourn, it do so in memory of Dale Ferry of Lancaster.

Item 92 – Mr. Kuwik requested that when the Legislature adjourn, it do so in memory of Judge Rusinski of Kenmore.

ADJOURNMENT

Item 93 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

Ms. Peoples moved that the Legislature adjourn until **2:00 p.m., Thursday, June 3, 1999**. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature **adjourned until Thursday, June 3, 1999 at 2 p.m. Eastern Standard Time.**

LAURIE MANZELLA
CLERK