

ERIE COUNTY LEGISLATURE
MEETING NO. 2
January 21, 1999

The Legislature was called to order by Chairman Swanick.

All Members present.

A moment of silence was held.

The Pledge of Allegiance was led by Ms. Marinelli.

Minutes of the previous meeting were tabled.

MISCELLANEOUS RESOLUTIONS

Item 1 – Legislators Ranzenhofer, Weinstein and Pauly presented a resolution to Chief John Askey for his retirement from the Amherst Police Department. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

Item 2 – Legislator Chase presented a resolution recognizing Joanne Sack as she resigns as President of Evans-Brant Chamber of Commerce. Mr. Marshall seconded.

CARRIED UNANIMOUSLY

Item 3 – Legislator Chase presented and et al resolution honoring Captain Kevin Caffrey & Detective Chet Krupczyk for Saving the Lives of Two Boys in Angola. . Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

Item 4 – Legislator Greenan presented a resolution honoring Union Medical Pharmacy as West Seneca Chamber of Commerce 1999 Business of the Year. . Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

Item 5 – Legislator Greenan presented a resolution honoring West Seneca Youth Bureau as West Seneca Chamber of Commerce 1999 Service Organization of the Year. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

Item 6 – Legislator Greenan presented a resolution congratulating Gerald Hathaway for Being Named West Seneca Chamber of Commerce’s 1999 Member of the Year. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

Item 7 – Legislator Greenan presented a resolution honoring Gregory P. Falkner for being named West Seneca Chamber of Commerce’s 1999 Member of the Year. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

Item 8 – Legislator Greenan presented a resolution honoring Albert Paduano for being named West Seneca Chamber of Commerce’s 1999 Educator of the Year. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

Item 9 – Legislator Chase presented a resolution celebrating Lake View Fire Association’s 75th Anniversary. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

Item 10– Legislator Chase presented a resolution honoring Sharen Trembath as Evans-Brant 1999 Citizen of the Year. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

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

Item 12 - Ms. Peoples moved to take Local Law Intro No. 1 – (Print 1) from the table for immediate consideration. Ms. Marinelli seconded.

COUNTY OF ERIE

LOCAL LAW INTRO. NO. 1 – 1999 (PRINT #1)

A LOCAL LAW in relation to the right to farm in the county of Erie.

Section 1. Title. This local law shall be known as the "Erie county right to farm law".

Section 2. Legislative policy. The Erie county legislature hereby finds, declares, and determines that farming is important to Erie county because it is a major occupation within the

county, providing a livelihood and employment for thousands of residents; farming remains the single-largest industry in New York state; farming provides locally produced, fresh commodities; agricultural diversity promotes economic stability; agriculture promotes open space and promotes environmental quality; agricultural land does not increase the demand for services provided by county or local governments. In order to maintain a viable agricultural economy in Erie county, farmers must be afforded protection allowing them the right to farm. When non-agricultural land uses extend into agricultural areas, agricultural operations may become the subject of nuisance lawsuits. As a result, agricultural operations are sometimes forced to cease operations or are discouraged from making investments in farm improvements.

It is the policy of the county to reduce the loss of agricultural resources by limiting the circumstances under which agricultural and residential purposes may conflict and to allow agricultural practices inherent to and necessary for the business of farming to proceed and be undertaken free of unreasonable and unwarranted interference or restriction.

The county legislature finds, declares and determines that chapter 797 of the laws of 1992 provides an important foundation for achieving the right to farm protection sought in Erie county and that in order to address the unique circumstances facing agriculture in Erie county, it is necessary to provide for more comprehensive local right to farm protection.

Section 3. Definitions. As used in this local law, the following terms shall have the following meanings:

"Agricultural practices" shall mean all activities conducted by a farmer on a farm to produce agricultural products and which are inherent and necessary to the operation of a farm including, but not limited to, the collection, transportation, distribution, storage and land application of animal wastes; storage, transportation and use of equipment for tillage, planting, harvesting, irrigation, fertilization and pesticide application; storage and use of legally permitted fertilizers, limes and pesticides all in accordance with local, state and federal law and regulations and in accordance with manufacturers' instructions and warnings; storage, use and application of animal feed and foodstuffs; construction and use of farm structures and facilities for the storage of animal wastes, farm equipment, pesticides, fertilizers, agricultural products and livestock, for the processing of animal wastes and agricultural products, for the sale of agricultural products,

and for the use of farm labor, as permitted by local and state building codes and regulations; including construction and maintenance of fences and lanes;

- a. "Agricultural products" shall mean those products as defined in subdivision 2 of section 301 of the agriculture and markets law;
- b. "Farm" shall mean the land, buildings and machinery usable in the production, whether for profit or otherwise, of agricultural products;
- c. "Farmer" shall mean any person, organization, entity, association, partnership or corporation engaged in the raising of crops, or the raising of livestock or livestock products as defined in subdivision 2 of section 301 of the agriculture and markets law, or the business of agriculture, whether for profit or otherwise, including the cultivation of land, the raising of poultry, fish, or fur-bearing animals, the harvesting of timber or the practice of horticulture, aquaculture, apiculture or viticulture;
- d. "Generally accepted agricultural practices" shall mean those practices which are lawful, customary, reasonable, safe and necessary to the industry as they pertain to the practices listed in subdivision a of section 3 of this local law.

Section 4. Right to farm declaration.

- a. Farmers, as well as those employed, retained or otherwise authorized to act on behalf of farmers, may lawfully engage in agricultural practices within Erie county at all such times and all such locations as are reasonably necessary to conduct the business of agriculture. For any agricultural practice, in determining the reasonableness of the time, place and methodology of such practice, due weight and consideration shall be given both to traditional customs and procedures in the farming industry as well as to advances resulting from increased knowledge and improved technologies.
- b. Agricultural practices conducted on farmland shall not violate the public policy of Erie county if such agricultural practices are: (i) reasonable and necessary to the particular farm or farm operation; (ii) conducted in a manner which is not negligent or reckless; (iii) conducted in conformity with generally accepted agricultural practices; (iv) conducted in conformity with all local, state and federal laws, ordinances and regulations; (v) conducted in a manner which does not constitute a threat to public health and safety or cause injury to health and safety of any person; and (vi) conducted in a

manner which does not unreasonably obstruct the free passage or use of navigable waters or public roadways.

- c. Nothing in this local law shall be construed to prohibit an aggrieved party from recovering damages for bodily injury or wrongful death due to negligence or recklessness.

Section 5. Real Property Sale Disclosure Notice.

- a. When any purchase and sale contract is presented for the sale, purchase, or exchange of residential real property located within the county of Erie, the contract of sale shall include a disclosure notice, which states the following:

It is the policy of Erie county to conserve, protect and encourage the development and improvement of agricultural land for the production of food and other products, and also for its natural and ecological value. This disclosure notice is to inform prospective residents that farming activities occur within Erie county. Such farming activities may include, but not be limited to, activities that cause noise, dust, fumes, odors, smoke, insects, operation of machinery during any hour of the day or evening, storage and disposal of plant and animal waste products, and the application of fertilizers, soil amendments, and pesticides by ground or aerial spraying or other method. Property owners and residents of Erie county should be aware that farmers have the right to undertake generally accepted practices and one should expect such conditions as a normal and necessary aspect of living in an agricultural area. The failure to include such disclosure notice shall not affect the validity of such purchase and sale contract.

Section 6. Severability. If any clause, sentence, paragraph or section of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or section thereof directly involved in the proceeding or action in which such adjudication has been rendered.

Section 7. Review committee. No later than December 31, 2000, the chairman of the Erie county legislature shall appoint and convene a review committee to evaluate this local law.

The review committee shall be comprised of a cross-section of the community that will include, but not be limited to representatives of the legislature and other appropriate representatives. The review committee shall provide the legislature with its findings and recommendations with respect to this local law no later than the first day of July 2001.

Section 8. This local law shall be effective the first day of January 2000.

CHARLES M. SWANICK

CRYSTAL D. PEOPLES

FREDERICK J. MARSHALL

GREGORY B. OLMA

WILLIAM A. PAULY

LYNN M. MARINELLI

JEANNE Z. CHASE

JOHN W. GREENAN

JUDITH P. FISHER

DALE W. LARSON

BARRY A. WEINSTEIN, MD

RAYMOND K. DUSZA

MICHAEL H. RANZENHOFER

MICHAEL A. FITZPATRICK

GEORGE A. HOLT, JR.

EDWARD J. KUWIK

ALBERT DEBENEDETTI

Chairman Swanick Directed that a Roll Call vote be taken.

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

CARRIED UNANIMOUSLY.

COMMITTEE REPORTS

Item 13 - Mr. Dusza presented the following and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 14

GOVERNMENT AFFAIRS
COMMITTEE
REPORT NO. 1

January 19, 1999

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

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

- a. Item Page -1998 (Comm. 1M-3)
BUFFALO CONVENTION & VISITORS BUREAU: Re: Buffalo Convention Feasibility Study December, 1997.
(5-0) Legislator Holt absent. Chairman Swanick present as ex-officio member.
- b. Item Page - 1998 (Int. 14-11)
PEOPLES: Re: Year 2000 Compliance Update.
(5-0) Legislator Holt absent. Chairman Swanick present as ex-officio member.
- c. Item Page - 1998 (Comm. 22M-6)
ROBERT G. POOLE, NATIONAL FUEL GAS: Re: Copy of Letter to Legislator Holt Re: Reduction of Gas Bills by \$20.4 Million Over the Next Two Years.
(5-0) Legislator Holt absent. Chairman Swanick present as ex-officio member.
- d. Item Page - 1998 (Comm. 29D-2)
COUNTY ATTORNEY: Re: Notices of Claim.
(5-0) Legislator Holt absent. Chairman Swanick present as ex-officio member.
- e. Item Page - 1998 (Comm. 29E-2)
COUNTY CLERK: Re: Semi-Annual Report of Mortgage Tax Receipts & Disbursements 4/98 – 9/98.
(5-0) Legislator Holt absent. Chairman Swanick present as ex-officio member
- f. Item Page - 1998 (Comm. 29E-22)
COUNTY EXECUTIVE : Re: DISS Year 2000 (Y2K) Computer Problem Readiness Update.
(5-0) Legislator Holt absent. Chairman Swanick present as ex-officio member.
- g. Item Page - 1999 (Comm. 1D-4)
COUNTY ATTORNEY: Re: Notices of Claim.
(5-0) Legislator Holt absent. Chairman Swanick present as ex-officio member.
- h. Item Page - 1999 (Comm. 1M-12)
EASY PERSONAL ASSISTANCE AGENCY, INC. Re: Letter to Legislature Re: OTB's Proposal to Purchase Batavia Downs.
(5-0) Legislator Holt absent. Chairman Swanick present as ex-officio member.

AS AMENDED

2. Item Page - 1998 (Comm. 29E-10)
COUNTY EXECUTIVE
WHEREAS, the County is in need of software to facilitate accurate job costing,

WHEREAS, The Division of Information and Support Services has been looking for a solution to the labor distribution question posed by Erie Community College with regards to the County Payroll System, and

WHEREAS, SFG has software known as "Costuser" which fulfills the requirements of both of the aforementioned, and

WHEREAS, the SFG software will fully integrate with the current SFG systems which drive the County financial systems, and

WHEREAS, the Division of Information and Support Services has money available within its 1998 operating budget to pay for the purchase of the software.

WHEREAS, SFG software, the County's financial software system, is used for County payroll, accounting, general ledger, purchasing and financial reporting, and

WHEREAS, the tax system portion of the financial system is now supported by a separate corporation, Govern Software, Inc., and

WHEREAS, the SFG and Govern software have proven to be effective products aiding staff in the efficient operation of County government, and

WHEREAS, the original five-year support service agreements expire on February 9, 1999, and

WHEREAS, the cost of the five-year service renewal agreement is fixed by the original contract as the original first-year support cost plus an escalator for annual inflation, and

WHEREAS, funding has been provided for this purpose in the 1999 Adopted budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Division of Information and Support Services shall be authorized to purchase the Costuser software and the accompanying training from SFG in the amount of \$140,000, and be it further,

RESOLVED, that the County Executive is authorized to enter into five year software service support agreements with SFG Technologies, Inc. a cost of \$252,432.66, and Govern Software, Inc. at a cost of \$60,375, and be it further

RESOLVED, that the County Executive is authorized to enter into a service agreement for up to five years for the SFG Costuser module at a cost not to exceed \$13,300 annually and for other SFG related software services and system changes as may be separately funded, and be it further

RESOLVED, that the source of funding shall be the 1999 Adopted Budget Division of Information and Support Services (DAC 110 927510823) Repairs and Maintenance, and be it further

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

(5-0) Legislator Holt absent. Chairman Swanick present as Ex-Officio Member.

3. Item Page - 1999 **AS AMENDED**
(Comm. 1E-10)

COUNTY EXECUTIVE

WHEREAS, the 1999 Erie County Budget stipulates that all requests for authority to recruit at a higher increment level must be approved by both the Legislature and the County Executive, and

WHEREAS, the authorization of variable minimums is crucial to the delivery of medical and other essential public services,

WHEREAS, in the 1999 Erie County Budget County Department of Personnel there is one position of Senior Clerk Typist, job group IV, position number 047603, and

WHEREAS, an audit of the duties and responsibilities of this position indicate a significant growth in the overall scope and level of responsibility, and

WHEREAS, in order to appropriately classify this position, it is recommended that this position be reclassified to Principal Clerk, job group VI, and

WHEREAS, sufficient funds are available in the Department's 1999 Adopted Budget, and no additional funds are needed,

NOW, THEREFORE, BE IT

RESOLVED, that variable minimums are hereby approved for the following titles commencing January 1, 1999, as follows:

DEPARTMENT	TITLE	JG/STEP
ECMC	Anesthetist	15-4
Legislature	Clerk Typist	1-5
ECMC	Clinical Perfusionist	15-5
Environment & Planning	Coordinator, Industrial Assistance Prog.	14-3
Health	Dentist	14-3
ECMC, Home	Licensed Practical Nurse	4-3
ECMC, Home	Licensed Practical Nurse (2nd & 3rd shift)	4-4

Health	Medical Director (Reproductive Health) (RPT)	18-5
Social Services	Medical Director (SS) (RPT)	20-5
Health	Medical Examiner	15-5
ECMC, Home	Medical Record Administrator	8-3
ECMC	Medical Record Technician	6-3
Health	Medical Specialist	17-5
ECMC	Nuclear Medicine Technologist	8-5
Health	Nurse Practitioner	10-3
Sheriff (Holding Center)	Nursing Supervisor -Holding Center	12-3
ECMC, Home	Occupational Therapist	10-5
Home, Corr. Facility	Pharmacist	12-5
ECMC	Pharmacist-ECMC	13-5
ECMC, Home	Physical Therapist	10-5
ECMC	Radiologic Technologist	7-5
Youth	Registered Nurse	8-3
Sheriff (Holding Center)	Registered Nurse (Holding Center)	8-3
ECMC	Respiratory Care Practitioner	6-3
Public Works-Hwy.	Senior Civil Engineer	14-4
Legislature	Secretarial Assistant (Leg)-District Off.	5-5
Legislature	Senior Clerk Typist	4-5
ECMC, Home	Senior Licensed Practical Nurse (1st Shift)	5-3
ECMC, Home	Senior Licensed Practical Nurse (2nd & & 3rd shifts only)	5-4
Health	Senior Nurse Practitioner	11-3
Home	Senior Pharmacist	13-4
ECMC	Senior Pharmacist-ECMC	14-4
ECMC	Senior Respiratory Care Practitioner	7-3
ECMC	Special Procedures Technologist	8-4
ECMC, Home	Supervising Physical Therapist	12-5
Social Services	Utilization Review Nurse	8-3

and be it further

RESOLVED, that effective January 1, 1999, the position of Senior Clerk Typist, job group IV, position number 047603 be reclassified to Principal Clerk, job group VI, and be it further

RESOLVED, that once a variable minimum is approved for a particular position or job title, said variable minimum shall be in effect for all employees placed in said position during the year. It is also intended that where a variable minimum is granted for a full time position, the authorization is extended to any regular part-time or part-time position in any department, and be it further .

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

(5-0) Legislator Holt absent. Chairman Swanick present as Ex-Officio Member.

4. Item Page - 1999 (Comm. 1E-11)
COUNTY EXECUTIVE

WHEREAS, in the 1999 Erie County Budget County Executive Department, Center for Cooperative Economic Growth, there is one position of Director-Center for Cooperative Economic Growth, Job Group XVIII, and

WHEREAS, after extensive recruitment, the department has identified a highly qualified candidate capable of assuming the responsibilities of directing this office, and

WHEREAS, in order to adequately compensate this candidate, it is recommended that this position be reallocated to Job Group XIX and that a variable minimum hiring rate be established at Job Group XIX, Step 4, and

WHEREAS, sufficient funds are available in the Department's 1999 Adopted Budget, and no additional funds are needed,

NOW, THEREFORE, BE IT

RESOLVED, that effective January 1, 1999, the position of Director-Center for Cooperative Economic Growth be reallocated from Job Group XVIII to Job Group XIX, and be it further

RESOLVED, that effective January 1, 1999, a variable minimum hiring rate be established for the position, Director-Center for Cooperative Economic Growth at Job Group XIX, Step 4, and be it further

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

(5-0) Legislator Holt absent. Chairman Swanick present as Ex-Officio Member.

5. Item Page - 1999 (Comm. 1E-16)
COUNTY EXECUTIVE

WHEREAS, many Erie County Competitive and Non-Competitive Class Civil Service positions require specialized training and experience which is difficult to obtain or unavailable outside of County service, and

WHEREAS, in order to fill these Competitive Class and Non-Competitive Class positions, it is necessary to hire individuals and provide specialized training to them, and

WHEREAS, in order to facilitate the hiring of individuals to receive this specialized training and experience, certain County positions are filled on a trainee or underfill basis from trainee Civil Service lists or in the absence of a valid trainee list, on a provisional or temporary basis, and

WHEREAS, since the specific budget amendment authorizing the filling of County positions on a trainee or underfill basis was eliminated from the budget, departments will not be able to fill such positions which will then impair the departments ability to render services to the public,

NOW, THEREFORE, BE IT

RESOLVED, that effective January 1, 1999 funds appropriated for the Competitive and Non-Competitive Class positions listed below, may be used to pay a trainee or underfill a lesser amount until such employee becomes qualified to fill such positions:

Charge Nurse
Child Protective Worker
Computer Operator
Interne Personnel Specialist
Probation Officer
Probation Officer (Spanish Speaking)
Public Health Technician
Sewage Treatment Plant Operator
Social Services Program Specialist

and be it further

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

(5-0) Legislator Holt absent. Chairman Swanick present as Ex-Officio Member.

6. Item Page - 1999 (Comm. 1E-18)

COUNTY EXECUTIVE

WHEREAS, there is a need provide Records Management Services for the County, and

WHEREAS, there is a need to appropriately staff the Records Management Services function in the Division of Information and Support Services, and

WHEREAS, there is a need to appropriately compensate the staff of the Records Management Services function of the Division of Information and Support Services.

NOW, THEREFORE, BE IT

RESOLVED, that the position of Records Manager is hereby reallocated from Job

Group 12 to Job Group 13, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of the Division of Information and Support Services, the Commissioner of Personnel and the Director of Budget and Management.

(5-0) Legislator Holt absent. Chairman Swanick present as Ex-Officio Member

RAYMOND K. DUSZA
CHAIRMAN

Mr. Dusza moved the adoption. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

LEGISLATORS RESOLUTIONS

Item 14 – Mr. Greenan presented the following resolution and requested that it be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Intro 2-1 from Legs. Greenan, Larson, Chase, Ranzenhofer, Weinstein & Marshall Re: Potential Savings through Self-Insurance of Erie County's Employee Dental Program.

Item 15 – Mr. Greenan presented the following resolution and requested that it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro 2-2 from Legs. Greenan, Larson, Ranzenhofer, Weinstein, & Marshall Re: Merger of Sheriff's Department and Division of Detention – Department of Youth.

Item 16 - Mr. Greenan presented the following resolution and requested that it be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Intro 2-3 from Legs. Weinstein, Ranzenhofer, Greenan, Larson, Marshall, & Chase Re: Economic Development in the Biotech Field.

Item 17 – Ms. Chase presented the following resolution and moved for immediate consideration.

Chairman Swanick directed that Intro 2 – 4 be referred to the FINANCE & MANAGEMENT COMMITTEE.

CHALLENGE OF THE CHAIR.

Chairman Swanick Directed that a Roll Call vote be taken.

AYES: CHASE, GREENAN, LARSON, MARSHALL, PAULY, RANZENHOFER, WEINSTEIN. NOES: DEBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES, SWANICK. AYES – 7, NOES – 10.

MOTION DEFEATED.

ORIGINAL MOTION GRANTED.

Intro 2-4 from Legs. Chase, Ranzenhofer, Greenan, Larson, Marshall, & Chase Re: Support for Comptroller Naples.

Item 18 – Ms. Peoples presented the following resolution and moved for immediate consideration. Ms. Marinelli seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 15 Re: Majority Caucus Appointment to the Erie County Fisheries Advisory Board. (Intro. 2-5)

WHEREAS, Erie County Local Law Number 2 – 1997 stipulates that each of the two political parties which have the greatest numbers of members seated in the Erie County Legislature has the authority to appoint one member to the Erie County Fisheries Advisory Board, subject to the confirmation of the full legislature, and

WHEREAS, a petition containing the signatures of a majority of the members of the Democratic party in the Erie County Legislature is attached to this resolution,

NOW, THEREFORE, BE IT

RESOLVED, that the following individual is hereby confirmed as a member of the Erie County Fisheries Advisory Board:

Patrick Freeman
585 Parkside Ave.
Buffalo, NY 14216

And be it further

RESOLVED, that the aforementioned appointment shall expire December 31, 2001, and be it further

RESOLVED, that certified copies of this resolution be sent to Richard Tobe, Commissioner of the Department of Environment and Planning, Spencer Schofield of the Department of Environment and Planning, and to Patrick Freeman.

Ms. Peoples moved to amend the resolution. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

January 19, 1999

Pursuant to Erie County Local Law Number 2 - 1997, we, the undersigned, representing a majority of the members of the Democratic Party, constituting one of the two major political parties in the Erie County Legislature, do hereby appoint **PATRICK FREEMAN**, 585 Parkside Ave., Buffalo, NY 14214, to serve as a member of the Erie County Fisheries Advisory Board, subject to the confirmation of the full legislature.

The aforementioned appointment will expire December 31, 2001.

1st District
Edward J. Kuwik

2nd District
Michael A. Fitzpatrick

3rd District
George A. Holt, Jr.

4th District
Judith P. Fisher

5th District
Gregory B. Olma

6th District
Albert Debenedetti

7th District
Crystal D. Peoples

8th District
Raymond K. Dusza

10th District
Charles M. Swanick

11th District
Lynn M. Marinelli

Ms. Peoples moved to approve the resolution as amended. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

Item 19 --Ms. Peoples presented the following resolution and requested that it be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro 2-6 from Leg. Peoples Re: Potential Regionalism Regionalization of Workers' Compensation and Investment of Idle Funds.

Item 20 – Mr. Holt presented the following resolution and moved for immediate consideration. Mr. Dusza seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 16 Re: Concerns Regarding Kinship Versus Foster Care.
(Intro. 2-7)

WHEREAS, Nationwide, 4.3 million children currently reside with relatives other than their parents — 77 percent in urban areas, and

WHEREAS, Rather than children being separated from their family and oftentimes siblings being separated from each other to be placed in foster, preventative or protective care when their parents are incapacitated or incarcerated, many grandparents take responsibility for these children thus keeping the family together, and

WHEREAS, Several complaints have recently been aired that grandparents involved in kinship in Erie County do not receive the same — or any — benefits as a foster parent would, especially in the area of daycare, and

WHEREAS, Grandparents who keep their families together through the acceptance of their grandchildren into their homes and lives should be entitled to the same benefits as foster parents,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby commend those grandparents in our community who make welcome into their homes and lives grandchildren whose parents cannot care for their children due to incapacitation or incarceration, and be it further

RESOLVED, That this Honorable Body does express concern that some of said grandparents may not be receiving the same benefits as a foster parent would, and be it further

RESOLVED, That this Honorable Body does hereby request that Erie County Department of Social Services Commissioner Deborah Merrifield appear at a future meeting of the Legislature's Social Services Committee to discuss the aforementioned issue, including providing data to this Honorable Body as to how many grandparents in Erie County participate in said kinship, and what if any regulatory differences exist between kinship and foster care, and be it further

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

Mr. Holt moved the approval. Mr. Dusza seconded.

CARRIED UNANIMOUSLY.

Item 20 – Mr. Dusza presented the following resolution and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 17 Re: Support for Labor Studies in Elementary &
Secondary Education. (Intro 2-8)

WHEREAS, labor unions have played a significant role in the social, political and economic history of our country, and

WHEREAS, throughout time the great forces that have swept the American people into action have been the very forces that have also molded labor, and

WHEREAS, the State of Illinois has recently adopted into its educational curriculum the teaching of labor history in all of its schools, and

WHEREAS, New York State severely lacks elementary and secondary school curriculum on the labor movement and union history, and

WHEREAS, members of the New York State Assembly have recently introduced legislation (Bill No. A.1404) which would amend the State education curriculum to require elementary and secondary student instruction on the history, structure, activities and role of labor unions in American History, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby support NYS Bill No. A.1404, instituting labor studies as an important component of New York State educational curriculum, and be it further

RESOLVED, that this Honorable Body further calls upon the Assembly to approve Bill No. A.1404, the Senate to introduce and adopt similar legislation and Governor Pataki to sign said legislation into law, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor George E. Pataki, Assembly Speaker Sheldon Silver, Senate Majority Leader Joseph Bruno, the Western

New York delegation to the State Assembly and State Senate, and to the President of the Buffalo AFL-CIO Council.

Fiscal Impact: None for Resolution.

Mr. Fitzpatrick moved to amend the resolution by adding Legislators Pauly, Chase, Greenan, Debenedetti, Fisher, Holt, Kuwik, Marinelli, Olma, and Peoples as additional sponsors.

Mr. Dusza moved the approval as amended. Mr. Fitzpatrick seconded.

CARRIED UNANIMOUSLY.

Item 22 – Ms. Peoples presented the following resolution and moved for immediate consideration. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 18 Re: Authorizing Public Benefit Agencies to Retain
Unused Funds. (Intro. 2-9)

WHEREAS, the contracts between the County of Erie and Public Benefit agencies funded in 1998 requires that the agencies refund any money that remained unused at the end of the year, and

WHEREAS, several agencies did not receive funds until late in the year, making it impossible to expend them in so short a time period, and

WHEREAS, other agencies were not granted funding until the end of 1998 and have yet to receive these funds, and

WHEREAS, the need for these funds still remains,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the following agencies to retain any and all unused funds remaining from the 1998 contract with the County of Erie, which would otherwise be returned to the County:

- **Alleyway Theatre**
- **Autistic Services**
- **Black Rock-Riverside NHS**
- **Boston Town Band**
- **Buffalo Public School #45**
- **City of Tonawanda DARE**
- **Collins Center Vol. Fire Dept.**

- Collins Vol. Fire Dept.
- Concerned Ecumenical Ministry
- Council on the Prevention of Alcohol & Substance Abuse
- Doyle Vol. Hose Co. No. 2
- Eden Little Loop
- Elma-Marilla-Wales Boys & Girls Club
- Elma-Marilla-Wales Little Loop Football
- Evans Little Loop
- Forever Elmwood
- Friends of Hamburg
- Grand Island Chamber of Commerce
- Hamburg Project YES
- Lackawanna Food Pantry
- Lake Shore Vol. Fire Co.
- Lake View Fire Department
- Lakeshore Youth Football
- Newton-Abbott Vol. Fire Co.
- Public School #81
- Sloan Active Hose
- Town Boys & Girls Club
- Town of Amherst - Sr. Svs.
- Town of Elma - Sr. Ctr.
- Twin District Fire Co.
- Village of Lancaster
- West Hertel Academy
- West Seneca AmeriCorps
- YWCA

and be it further

RESOLVED, that certified copies of this resolution be forwarded to Erie County Executive Dennis Gorski, Erie County Comptroller Nancy Naples, Erie County Budget Director Kenneth Kruly, First Assistant County Attorney Alan Gerstman, Jackie Mullen - Department of Budget, and to Theresa Kennedy - Erie County Legislature.

Fiscal Impact: Reauthorization of 1998 budgeted funds.

Ms. Peoples moved the approval. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

Item 23 – Mr. Greenan presented the following resolution and requested that it be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro 2-10 from Legs. Greenan, Larson, Ranzenhofer, Marshall, Weinstein, & Chase Re: Possible Savings Through Regionalized Self-Insured Workers' Compensation Insurance.

Item 24 - Ms. Peoples presented the following resolution and moved for immediate consideration. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 19 Re: Transfer of Funds. (Intro. 2-11)

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$5,000 within 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>ORIGINAL AMOUNT</u>	<u>+/-</u>	<u>NEW AMOUNT</u>
Elma-Marilla-Wales Boys & Girls Club	830/0637	\$7,000	(\$5,000)	\$2,000
Elma-Marilla-Wales Little Loop Football	n/a	-0-	\$5,000	\$5,000
TOTAL			-0-	

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 forwarded to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman, Jackie Mullen-Department of Budget, Theresa Kennedy-Erie County Legislature and to Mr. George Blair, Jr., Elma-Marilla-Wales Boys & Girls Club, (P.O. Box 5, Elma, NY 14059).

Fiscal Impact: Appropriation of 1998-budgeted funds.

Ms. Peoples moved the approval. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

Item 25 - Ms. Peoples presented the following resolution and moved for immediate consideration. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 20 Re: Support for Community Initiatives. (Intro. 2-12)

WHEREAS the Legislature set aside funds in the 1999 Erie County Budget 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 this transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$20,000 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>
Ken-Bailey Community Center	830/0750	\$10,000
Sickle Cell Disease Association	830/0756	\$10,000
TOTAL		\$20,000

and be it further

RESOLVED, that the County Executive is hereby authorized to enter 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, Administrative Assistant Jackie Mullen Department of Budget, Management and Finance, Administrative Assistant Patricia Dunne Erie County Legislature, and three (3) copies to First Assistant County Attorney Alan Gerstman and one (1) copy each to Deborah J. Harris, Executive Director, Ken-Bailey Community Center, (2777 Bailey Avenue, Buffalo, NY, 14215), and Grace Taylor, Executive Director, Sickle Cell Disease Association of America, Buffalo & WNY Chapter, (2157 Main Street, Buffalo, NY, 14214).

Fiscal Impact: Appropriation of 1999-budgeted funds.

Ms. Peoples moved the approval. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 26 - Mrs. Fisher moved to discharge the HEALTH/MENTAL HEALTH COMMITTEE from further consideration of Comm. 1 E-28. Ms. Peoples seconded.

WHEREAS, the Erie County Department of Health currently operates a Lead Poisoning Prevention Program, and

WHEREAS, the purpose of this grant is to support and enhance local efforts to reduce the prevalence of elevated blood lead levels in children under six years of age through the implementation of a comprehensive program of primary and secondary prevention which includes: public and professional outreach and education; and medical and environmental case management and follow up, and

WHEREAS, the Erie County Department of Health has received an amended grant award.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the following budgetary adjustments:

**LEAD POISONING PREVENTION PROGRAM
01/1/98-12/31/98
PROJECT # 779**

<u>SFG</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>REVISED BUDGET</u>
573	STATE AID	\$552,084	-	\$ 552,084
	TOTAL	<u>\$552,084</u>	<u>-</u>	<u>\$ 552,084</u>
	<u>EXPENSES</u>			
800	PERSONAL SERVICES	\$ 402,129	0	\$402,129
801	OVERTIME	1,500	0	1,500
805	FRINGE BENEFITS	109,118	-4,000	105,118
811	CLOTHING SUPPLIES	150	0	150
823	REPAIRS & MAINTENANCE	18,875	0	18,875
824	TRAVEL & MILEAGE	9,527	4,000	13,527
825	OUT OF AREA TRAVEL	1,000	0	1,000
826	OTHER EXPENSES	3,300	0	3,300
890	CONTRACTUALSAILARY RESERVES	5,985	0	5,985
933	LAB & TECHNICAL EQUIP.	\$ 500	0	\$ 500
	TOTAL	<u>\$ 552,084</u>	<u>\$</u>	<u>\$552,084</u>

and be it further

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

Mrs. Fisher moved the approval. Ms. Peoples seconded.

CARRIED UNANIMOUSLY

Item 27 - Mrs. Fisher moved to discharge the HEALTH/MENTAL HEALTH COMMITTEE from further consideration of Comm. 1 E-29. Ms. Peoples seconded.

WHEREAS, the lease for the Hamburg Service and Referral Center, located at 5444 Camp Road, Hamburg, New York expires on December 31, 1998, and

WHEREAS, negotiations are in process to renew the lease.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an extension of the existing lease on a month-to-month basis, the monthly rental being \$3,784.14 per month, and be it further

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

Mrs. Fisher moved the approval. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 28 – Ms. Peoples moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Intro 2-13 From: Leg. Peoples Re: Review of Rockefeller Drug Laws.

Chairman SWANICK directed that Intro 2-13 be referred to the Public Safety Committee.

Item 29 – Mr. Marshall moved for a suspension of the rules to include an item not on the agenda.

GRANTED

Resolution No. 23

Re: Soil and Water Conservation District (Intro. 2-14)

WHEREAS, the Erie County Legislature determined that the conservation of soil and water resources, prevention of soil erosion, and prevention of floodwater and sediment damage are efforts of worthy of public support, and

WHEREAS, the Erie County Legislature, by resolution adopted at a regular or special meeting, declared the county to be a soil and water conservation district, and

WHEREAS, at the option of the County Legislature, New York State Soil and Water Conservation District law provides for the expansion of the soil and water conservation district board to seven (7) members, and

WHEREAS, the residents of the County of Erie are best served by increasing the diversity and membership of the Board of Directors of the Erie County Soil and Water Conservation District

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the expansion of the Board of Directors of the Erie County Soil and Water Conservation District to seven (7) members, of which both the additional members shall be residents of the county and at least one shall be a farmer, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the Board of Directors of the Erie County Soil and Water Conservation District and to the Farm Bureau of Erie County, 21 S. Grove Street, East Aurora, NY 14052.

Fiscal Impact: None For County

Mr. Marshall moved the adoption of the resolution as amended. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

Item 30 – Ms. Marinelli moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 2M-19 From: Leg. Fisher Re: Letter from Buffalo & Erie County Historical Society.

Chairman SWANICK directed that Comm. 2M-19 be referred to the Community Enrichment Committee.

Item 31 - Mrs. Fisher moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 2M-20 From: Leg. Fisher Re: Copy of Letter to Legislator Fisher Re: Involuntary Outpatient Commitment.

Chairman SWANICK directed that Comm. 2M-21 be referred to the Health/Mental Health Committee.

Item 32 - Mrs. Fisher moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 2M-21 From: Leg. Fisher Re: Copy of letter to Buffalo News Re: Mental Health Reform.

Chairman SWANICK directed that Comm. 2M-21 be referred to the Health/Mental Health Committee.

Item 33 - Mrs. Fisher moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 2M-22 From: Leg. Fisher Re: Copies of Letters Re: Mental Health Services.

Chairman SWANICK directed that Comm. 2M-22 be referred to the Health/Mental Health Committee.

Item 34 - Mrs. Fisher moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 2E-27 From: Leg. Fihser Re: Articles to be referred to Health /Mental Health Committee.

Chairman SWANICK directed that Comm. 2E-27 be referred to the Health/Mental Health Committee.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATOR MARSHALL

Item 35 – (Comm. 2E-1) Recommendations for 1999 Committee Assignments.

Received and filed.

FROM CHAIRMAN SWANICK

Item 36 – (Comm. 2E-2) 1999 Committee Assignments

Received, filed and printed.

JANUARY 11, 1999

1999 COMMITTEE ASSIGNMENTS

COMMUNITY ENRICHMENT

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

GOVERNMENT AFFAIRS

Chair: Raymond K. Dusza
V. Chair: George A. Holt, Jr.
Members: Lynn M. Marinelli
John W. Greenan
Frederick J. Marshall

ECONOMIC DEVELOPMENT

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

HEALTH/MENTAL HEALTH

Chair: Judith P. Fisher
V. Chair: Crystal D. Peoples
Members: Albert DeBenedetti
Barry A. Weinstein
William A. Pauly

ENERGY & ENVIRONMENT

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

PUBLIC SAFETY

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

FINANCE & MANAGEMENT

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

SOCIAL SERVICES

Chair: George A. Holt, Jr.
V. Chair: Gregory B. Olma
Members: Judith P. Fisher
Jeanne Z. Chase
Frederick J. Marshall

CHARLES M. SWANICK
Chairman

FROM THE COMPTROLLER

Item 37 – (Comm. 2E-3) County of Erie Federal Financial Assistance Audit Report for Year Ended 12/31/97.

Received and referred to the Finance & Management Committee.

FROM CHAIRMAN SWANICK

Item 38 - (Comm. 2E-4) Ms. Peoples moved for immediate consideration. Mr. Kuwik seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 24

Re: Chairman's Appointment to Erie County
Fisheries Advisory Board.

WHEREAS, Erie County Local Law Number 2 - 1997 stipulates that the Chairman of the Erie County Legislature has the authority to appoint one member to the Erie County Fisheries Advisory Board, subject to the confirmation of the full legislature,

NOW, THEREFORE, BE IT

RESOLVED, that the following individual is hereby confirmed as a member of the Erie County Fisheries Advisory Board:

William E. Haynes
305 Moore Ave.
Buffalo, NY 14223

And be it further

RESOLVED, that the aforementioned appointment shall expire December 2001, and be it further

RESOLVED, that certified copies of this resolution be sent to Richard Tobe, Commissioner of the Department of Environment and Planning, Spencer Schofield of the Department of Environment and Planning, and to William E. Haynes.

Item 39 – (Comm. 2E-5) Chairman’s Appointment to Erie County Home Health Care Advisory Boards.

Received, filed and printed.

January 19, 1999

Pursuant to Erie County Local Law Number 2 - 1997, we, the undersigned, representing a majority of the members of the Democratic Party, constituting one of the two major political parties in the Erie County Legislature, do hereby appoint **PATRICK FRIEEMAN**, 585 Parkside Ave., Buffalo, NY 14214, to serve as a member of the Erie County Fisheries Advisory Board, subject to the confirmation of the full legislature.

The aforementioned appointment will expire December 31, 2001.

1st District
Edward J. Kuwik

2nd District
Michael A. Fitzpatrick

3rd District
George A. Holt, Jr.

4th District
Judith P. Fisher

5th District
Gregory B. Olma

6th District
Albert Debenedetti

7th District
Crystal D. Peoples

8th District
Raymond K. Dusza

10th District
Charles M. Swanick

11th District
Lynn M. Marinelli

FROM THE COUNTY EXECUTIVE

Item 40 – (Comm. 2E-6) Health – Healthy Women’s Partnership 7/1/98 – 3/31/99.

Received and referred to the Health Committee.

Item 41 – (Comm. 2E-7) 1999/2000 Community Development Block Grant, Emergency Shelter & Home Investment Partnership Program.

Item 42 – (Comm. 2E-8) Second Amendatory Agreement with E&M Engineers & Surveyors Re: EC Housing Programs.

The above two items were received and referred to the Energy & Environment Committee.

Item 43 – (Comm. 2E-9) Senior Services – Authorization to Renew Van Contracts.

Item 44 – (Comm. 2E-10) Safe Places Grant.

The above two items were received and referred to the Social Services Committee.

Item 45 – (Comm. 2E-11) Emergency Services – Hazardous Materials Response Team Grant V Modification – SFG Grant #637.

Received and referred to the Public Safety Committee.

Item 46 – (Comm. 2E-12) Filling Vacant Positions 10/98.

Item 47 – (Comm. 2E-13) Filling Vacant Positions 11/98.

Item 48 – (Comm. 2E-14) Filling Vacant Positions 12/98.

The above three items were received and referred to the Government Affairs Committee.

Item 49 – (Comm. 2E-15) ECC – Variable Minimum President.

Item 50 – (Comm. 2E-16) ECC – Variable Minimum Chief Administrative & Financial Officer.

The above two items were received and referred to the Community Enrichment Committee.

Item 51 – (Comm. 2E-17) District Attorney – Variable Minimum.

Received and referred to the Public Safety Committee.

Item 52 – (Comm. 2E-18) Youth Services – Authorization Increase Contract with Boys & Girls Club of Buffalo for Operation Prime Time Program.

Received and referred to the Social Services Committee.

Item 53 – (Comm. 2E-19) ECSD No. 4 Tallamy, Vankuren, Gertis & Associates Engineering Agreement Close-Out.

Item 54 – (Comm. 2E-20) ECSD No. 4 Contract Co. EC-6D Contract Close-Out CIR Electrical Construction.

Item 55 – (Comm. 2E-21) ECSD No. 4 – Contract No. EC-6C Contract Close-Out MKS Plumbing.

Item 56 – (Comm. 2E-22) ECSD No. 4 – Contract No. EC-6B Contract Close-Out Buffalo Sheet Metal.

Item 57 – (Comm. 2E-23) ECSD No. 4 – Contract No. EC-6A Contract Close-Out Granville Constructors.

Item 58 – (Comm. 2E-24) ECSD No. 4 – Contract No. 25L Contract Close-Out John Schuler.

Item 59 – (Comm. 2E-25) Mercury Pollution Prevention Education Program.

The above seven items were received and referred to the Energy & Environment Committee

Item 60 – (Comm. 2E-26) EC Purchase Policies & Procedures Under General Municipal Law 104-b.

Received and referred to the Government Affairs Committee.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM EC MORGUE

Item 61 – (Comm. 2D-1) Monies & Other Property Found On Deceased Persons.

FROM ECMC

Item 62 – (Comm. 2D-2) Board of Managers Finance Committee 1/8/99 & Financial statements for 11/30/98.

The above two items were received and referred to the Health Committee

FROM ECC

Item 63 – (Comm. 2D-3) Notices of Committee Meetings Held 1/19/99

Received and filed.

FROM ECMC

Item 64 – (Comm. 2D-4) Notice of Financial Committee Meeting held 1/8/99 & Attached Schedule of Meetings for 1999.

Received and referred to the Health Committee.

FROM ECC

Item 65 – (Comm. 2D-5) Letter to Legislator Marinelli Re: Fiscal & Budgetary Impact of SUNY Mandated General Education Liberal Arts 32 Hrs. of Core Curriculum.

Received and referred to the Community Enrichment Committee.

Item 66 – (Comm. 2D-6) Notice of Board of Trustees' Meeting to be Held 1/27/99.

Received and filed.

FROM ECMC

Item 67 – (Comm. 2D-7) Notice of Board of Managers Annual Meeting Held 1/14/99 & Minutes of Meeting Held 12/10/98.

Item 68 – (Comm. 2D-8) Notice of Board of Managers Meeting held 1/14/99 & Schedule of Meetings for 1999.

The above two items were received and referred to the Health Committee.

FROM DPW

Item 69 – (Comm. 2D-9) Botanical Gardens Dome Reconstruction Contingency Fund Increase.

Item 70 – (Comm. 2D-10) Stadium Backflow Preventer & Meter Building.

Item 71 – (Comm. 2D-11) Utility Procurement & Management Service.

The above three items were received and referred to the Economic Development Committee.

FROM CORRECTIONAL FACILITY

Item 72 – (Comm. 2D-12) Response to Comptroller's Audit 11/98.

Received and referred to the Public Safety Committee.

FROM DPW

Item 73 – (Comm. 2D-13) Repair of parapet Walls, EC Home (JZ-98-2)

Received and referred to the Economic Development Committee.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM VILLAGE OF HAMBURG

Item 74 – (Comm. 2M-1) Copy of Resolution Re: Opposing the Elimination of Sales Tax on Clothing & Footwear.

Received and referred to the Finance & Management Committee.

FROM TOWN OF NEWSTEAD

Item 75 – (Comm. 2M-2) Certified Resolution Re: Opposing the Elimination of Sales Tax on Clothing & Footwear.

Received and referred to the Finance & Management Committee.

FROM CITY OF BUFFALO DEPARTMENT OF COMMUNITY DEVELOPMENT

Item 76 – (Comm. 2M-3) Letter Requesting \$800,000 from Erie County to Assist with Demolitions in the City of Buffalo.

Received and referred to the Finance & Management Committee.

FROM ADRIANA BARBASCH ARCHITECT

Item 77 – (Comm. 2M-4) Letter to Chairman Swanick Re: School House Commons Project for the Renovation of School No. 42, City of Buffalo.

Received and filed.

FROM LOCUST STREET NEIGHBORHOOD ART CLASSES

Item 78 – (Comm. 2M-5) Locust Street Neighborhood Arts Classes' 1998 Final Report for Use of EC Cultural Funds.

Received and referred to the Finance & Management Committee.

FROM STATE SENATOR BRUNO

Item 79 – (Comm. 2M-6) Acknowledgement of Receipt of Resolutions.

Received and filed.

FROM TOWN OF TONAWANDA

Item 80 (Comm. 2M-7) Certified Copy of Resolution Re: Requesting Direct Payment of Erie County Sales Tax to Town.

Received and referred to the Finance & Management Committee.

FROM ASSOCIATION OF ERIE COUNTY GOVERNMENTS

Item 81 – (Comm. 2M-8) Copy of Resolution Re: Opposing Elimination of Sales Tax on Clothing & Footwear.

Received and referred to the Finance & Management Committee.

FROM MENTAL HYGIENE COMMUNITY SERVICES BOARD

Item 82 – (Comm. 2M-9) Notice of Meeting to be held 1/21/99.

Received and referred to the Health Committee.

FROM ERIE COUNTY FARM BUREAU

Item 83 – (Comm. 2M-10) Farm Bureau's Recommendation to Serve on EC Soil & Water Conservation Board of Directors.

Received and referred to the Energy & Environment Committee.

FROM BUFFALO & ERIE COUNTY HISTORICAL SOCIETY

Item 84 – (Comm. 2M-11) Letter to Chairman Swanick Re: Update on Historical Activities.

Received and referred to the Community Enrichment Committee.

FROM CITY OF BUFFALO DEPARTMENT OF COMMUNITY DEVELOPMENT

Item 85 – (Comm. 2M-12) Letter to Chairman Swanick Re: Demolition Funding for City of Buffalo.

Received and referred to the Finance & Management Committee.

FROM CHEEKTOWAGA-SLOAN UNION FREE SCHOOL DISTRICT

Item 86 – (Comm. 2M-13) Copy of Resolution Re: Opposing Elimination of Sales Tax on Clothing & Footwear.

Received and referred to the Finance & Management Committee.

FROM ARTS COUNCIL IN BUFFALO AND ERIE COUNTY

Item 87 – (Comm. 2M-14) Update on Activities Linking Arts & Tourism Between Arts Council & CVB.

Received and referred to the Community Enrichment Committee.

FROM TOWN OF COLDEN

Item 88 – (Comm. 2M-15) Certified Copy of Resolution Re: Opposing Elimination of Sales Tax on Clothing & Footwear.

Received and referred to the Finance & Management Committee.

FROM EC ENVIRONMENTAL MANAGEMENT COUNCIL

Item 89 – (Comm. 2M-16) Notice of Meeting Held 1/19/99.

Received and filed.

FROM ROSWELL PARK CANCER INSTITUTE

Item 90 – (Comm. 2M-17) Journal of Public Health Management & Practice.

Received and referred to the Health Committee.

FROM BUFFALO & ERIE COUNTY HISTORICAL SOCIETY

Item 91- (Comm. 2M-18) Letter to Legislator Marinelli Re: Update on Historical Activities.

Received and referred to the Community Enrichment Committee.

MEMORIAL RESOLUTIONS

Item 92 – Legislator Marinelli moved that when this legislature adjourns, it do so in memory of Fred Buchwald.

Item 93 – Legislator Greenan moved that when this legislature adjourns, it do so in memory of James Cummings.

Item 94 – Legislator Ranzenhofer moved that when this legislature adjourns, it do so in memory of Robert Gilmore.

ADJOURNMENT

Item 95 – 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 February 4, 1999. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday February 4, 1999 at 2 p.m. Eastern Standard Time.

Laurie Manzella
Clerk