

ERIE COUNTY LEGISLATURE  
MEETING NO. 21  
November 18, 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.

The minutes of the previous meeting were tabled.

MISCELLANEOUS RESOLUTIONS

Item 1 – MS. PEOPLES presented a resolution In Memory of Chauce Huff. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 2 – MS. PEOPLES presented a resolution In Memory of Georgia Woods. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 3 – MRS. FISHER presented a resolution Honoring Romella Hart-O’Keefe Upon Her Retirement From Department of Youth Services. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

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

COMMITTEE REPORTS

None.

LEGISLATORS RESOLUTIONS

Item 5 – MR. OLMA presented the following resolution and moved for immediate consideration. MR. PAULY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 368

Re: Support for State Legislation  
Requesting Uniform Standards for  
Consumer Pesticide Use & Advance  
Notice of Application. (Intro. 21-1)

WHEREAS, individuals and their personal property are, or can be, unwittingly exposed to pesticides applied on their neighbor's property, and

WHEREAS, pesticides may pose serious health and safety risks to people, particularly children, pregnant women, the elderly and infirm, as well as to animals, and

WHEREAS, citizens have the right to know in advance about pesticide applications on neighboring properties so they can take steps to minimize pesticide exposure to themselves, their families, pets, gardens, backyard wildlife and property, and

WHEREAS, parents and guardians have the right to know in advance about pesticide applications in their childrens' schools and day care centers, so they can take measures to minimize their childrens' exposure to pesticides, and

WHEREAS, residents of all New York State counties should be entitled to such notification, and

WHEREAS, such notification was included within legislation adopted by the State Assembly (A.1641), but has not yet been considered by the State Senate, and

WHEREAS, the legislation adopted by the State Assembly protects the interests of New York State's farmers by exempting farmers from notification requirements concerning pesticides as described within this legislation, and

WHEREAS, the New York State Legislature will likely reconvene within the next several weeks, and it is altogether fitting and proper that the Erie County Legislature make its opinion known relative to this legislation,

NOW, THEREFORE, BE IT

RESOLVED, that this Legislature hereby requests the New York State Senate to State Legislature of New York to adopt Assembly Bill A. 1461, amending the New York State Environmental Conservation Law to establish uniform standards for a consumer pesticide use information sign and the following notification requirements:

- a.) Commercial applicators must provide at least forty-eight hours advance notice of any commercial lawn applications of pesticides to occupants of abutting properties,

- b.) Schools and day care centers must provide at least forty-eight hours advance notice of any pesticide applications on their premises to parents or guardians of children attending the facility; and be it further

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

Fiscal Impact: None for Resolution

MR. OLMA moved to amend the resolution to include the following co-sponsors: Swanick, Kuwik, Fitzpatrick, Holt, Fisher, DeBenedetti, Peoples, Dusza and Marinelli. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MR. OLMA moved the approval of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 6 - MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 369

Re: Protection Against Food Borne  
Illness. (Intro. 21-2)

WHEREAS, each year food contaminated with E. Coli, Salmonella and other toxic bacteria cause food poisoning, serious illness and even death, and

WHEREAS, although the entire population is affected by food borne illness, our most vulnerable populations, children and the elderly, are at the most risk of being unable to adequately fight serious illness resulting from food contamination, and

WHEREAS, in many cases, improper food handling, inadequate food storage and incorrect reheating in restaurants and households lead to food contamination, and

WHEREAS, in other cases, improper packaging or handling in processing plants, grocery stores, farms, markets, and wholesale clubs leads to food intoxication, and

WHEREAS, many food borne illnesses could be avoided if proper food handling and preparation procedures were followed, and

WHEREAS, Erie County, through the Department of Health, plays a role in protecting public health by conducting annual health inspections of area food establishments,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature recognizes the serious public health concern related to food borne illness and is committed to working with the community in an effort to seek solutions that lead to prevention of food contamination, and be it further

RESOLVED, that this Honorable Body calls for the establishment of a Food Safety Task Force composed of community representatives of the food and health industries and appointed by the Chairman of the Legislature to examine the issues related to food contamination and suggest preventative measures, and be it further

RESOLVED, that this Honorable Body further calls for three (3) Public Meetings on the issue of food borne illness and safety measures, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Erie County Executive Dennis Gorski and to Erie County Health Commissioner Arnold Lubin, M.D.

Fiscal Impact: To be determined.

MR. WEINSTEIN moved to amend the resolution to include the following co-sponsors: Kuwik, Fitzpatrick, Holt, Olma, DeBenedetti, Dusza, Marinelli, Greenan, Chase, Pauly, Ranzenhofer, and Larson. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MR. WEINSTEIN moved the approval of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 7 – MR. HOLT presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 370

Re: All High Stadium Project  
Initiation Report. (Intro. 21-3)

WHEREAS, for many years All High Stadium has been the arena in which local athletes performed and learned life lessons, such as sportsmanship, teamwork, commitment, and sacrifice, lessons participants will carry on throughout their lives, and

WHEREAS, earlier this year legislators visited All High Stadium, used by the Buffalo school system as an athletic field, and witnessed it's deteriorating condition, and

WHEREAS, to maintain All High Stadium as a safe, viable facility it must undergo major improvements, and

WHEREAS, a preliminary study or project initiation report would be necessary for a complete assessment of the repairs needed at All High Stadium and the cost of such project, and

WHEREAS, a proposal was submitted to the Department of Public Works in the amount of \$50,000 for the engineering services necessary to complete a project initiation report for All High Stadium,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature recognizes the important role All High Stadium plays in the Buffalo community and the lives of Buffalo school students, and be it further

RESOLVED, that the Buffalo Board of Education and the County of Erie have proposed sharing the cost of a Project Initiation Report for All High Stadium at a cost of \$25,000 for each party, for a total project cost of \$50,000, and be it further

RESOLVED, the Buffalo Board of Education has already approved \$25,000 toward funding this study, and be it further

RESOLVED, that this Honorable Body does hereby authorize the Erie County Commissioner of Public Works to issue a supplemental contract in an amount not to exceed \$50,000 for the preparation of a Project Initiation Report for All High Stadium, and be it further

RESOLVED, that this Honorable Body approves the transfer of \$25,000 from the Legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 410, Project 129, Department 220 - Public Works - 99 Code Compliance (DAC: 410129220975) for the purpose of contracting a Project Initiation Report for All High Stadium, and be it further

RESOLVED, that the Clerk of the Legislature, the County Executive, the Director of the Division of Budget, Management & Finance, the Comptroller and the Commissioner of Public Works are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be forwarded to County Executive Gorski, Comptroller Nancy Naples, Public Works Commissioner John Loffredo, Budget Director Ken Kruly, and to Mr. John DiDonato, P.E., Vice President, DiDonato Associates, P.E., P.C., (3121 Clinton Street, Buffalo, NY 14224).

Fiscal Impact: Appropriation of 1999 budgeted funds.

MR. HOLT moved to amend the resolution by adding the following co-sponsors: Kuwik, Fitzpatrick, Fisher, Olma, DeBenedetti, Peoples, Dusza, Swanick, Marinelli, Greenan, and Pauly. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 8 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 371

Re: Funding for Community  
Organizations. (Intro. 21-4)

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 \$1,500 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Amherst Chamber of Commerce	N/A	\$1,000
Amherst Domestic Violence Task Force	N/A	\$500
<b>TOTAL</b>		<b>\$1,500</b>

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 Colleen DiPirro, Director, Amherst Chamber of Commerce, (325 Essjay, Amherst, New York 14221) and Christine Stonemetz, Secretary, Amherst Domestic Violence Task Force, (PO Box 683, Amherst, New York 14051.)

**Fiscal Impact:** Appropriation of 1999-budgeted funds.

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

CARRIED UNANIMOUSLY.

RE: FUNDING FOR COMMUNITY GROUPS AND AWARDED CONTRACT FOR ELECTRICAL WORK – ERIE COUNTY SHERIFF'S SWAT RANGE

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, and

WHEREAS, on November 4, the Erie County Legislature approved Intro. 20-2 (1999) transferring \$22,500 to the Office of the Sheriff for the purposes of completing necessary work at the Erie County SWAT firing range in Alden, and

WHEREAS, due to the brevity of the remaining construction season and the safety considerations thereof, said project must be completed before the winter months,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$18,000 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>
Amherst Chamber of Commerce	N/A	\$1,000
Amherst Domestic Violence Task Force	N/A	\$500
City of Tonawanda – EAP	N/A	\$3,000
Michigan Street Preservation Corporation	N/A	\$13,500
<b>TOTAL</b>		<b>\$18,000</b>

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 the Erie County Legislature does hereby authorize the County Executive to enter into contractual agreement with Electrical Service Systems Installation Inc., in an amount not to exceed \$19,054 for the purposes of completing the wiring of the pop-up target and "Hogan's Alley" target ranges on the Erie County Sheriff's SWAT range, and be it further

RESOLVED, that the source of funding for said contractual agreement is Fund 110, Project 931, Department 150 – Sheriff's Office – DAC: 110931150823, and be it further

RESOLVED, that due to the specific nature of the work, work site safety considerations involving inclement weather and time constraints as enumerated herein, this Honorable Body does hereby waive the provisions of Section 19.08 of the Erie County Administrative Code with respect to contractual agreements for professional services, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Sheriff Patrick Gallivan, County Attorney Kenneth A. Schoetz, 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 Colleen DiPirro, Director, Amherst Chamber of Commerce, (325 Essjay, Amherst, New York 14221), Christine Stonemetz, Secretary, Amherst Domestic Violence Task Force, (PO Box 683, Amherst, New York 14051), Kevin Cottrell, Director (Michigan Street Preservation Corporation, PO Box 176 Bridge Station, Niagara Falls, New York 14305), and Donald Witkowski, City of Tonawanda, (Administrative Assistant, Mayor's Office, 200 Niagara Street, Tonawanda, New York 14150-1099.)

Fiscal Impact: Appropriation of 1999-budgeted Funds

MR. WEINSTEIN moved to the approval of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 9 – MR. KUWIK moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of Comm. 16E-18. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 372

RE: Sheriff – HUD “Operation Circle”  
Grant.

WHEREAS, the U.S. Department of Housing and Urban Development has awarded \$44,000 to the Erie County Sheriff's Office to participate in the HUD-OPERATION CIRCLE, and

WHEREAS, these funds will be used to fund an integrated multi-agency approach to law enforcement and community revitalization for controlling and preventing crime in public and assisted housing.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the U.S. Department of Housing and Urban Development and is authorized to accept funding in the amount of \$44,000, and it be further

RESOLVED, that authorization is hereby provided to budget those funds follows:

Department 931 – Sheriff's Office

<u>REVENUE</u>	<u>Increase</u>
Acct. 684 - Federal Aid Miscellaneous	<u>\$44,000</u>
TOTAL REVENUE	<u>\$44,000</u>
<u>APPROPRIATIONS</u>	<u>Increase</u>
Acct. 801 - Overtime	\$24,000
Acct. 821 - Dues & Fees	15,000
Acct. 826 - Miscellaneous Expense	<u>5,000</u>
TOTAL APPROPRIATIONS	<u>\$44,000</u>

and it be further

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

MR. KUWIK moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 10 - MR. KUWIK moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of Comm. 17E-16. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 373

RE: Sheriff – NYS Gov. Traffic Safety Grants.

WHEREAS, the State of New York Division of Criminal Justice Services and the Governor's Traffic Safety Committee have awarded \$2,387 to the Erie County Sheriff's Office towards the purchase of one Datamaster breath test instrument, and

WHEREAS, the State of New York Governor's Traffic Safety Committee has awarded \$13,777 to the Erie County Sheriff's Office to participate in the statewide "BUCKLE UP" NEW YORK enforcement campaign, and

WHEREAS, these funds will be used to fund overtime dedicated to increasing seat belt usage in an effort to reduce serious injury or death from traffic accidents,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract with the State of New York Governor's Traffic Safety Committee and is authorized to accept funding in the amount of \$16,164, and be it further

RESOLVED, that authorization is hereby provided to budget those funds as follows:

Department 150 -Sheriff's Office

<u>REVENUE</u>	<u>Increase</u>
Acct. 639 State Aid Miscellaneous	<u>\$16,164</u>
TOTAL REVENUE	<u>\$16,164</u>
<u>APPROPRIATIONS</u>	<u>Increase</u>

Acct. 801 - Overtime	\$12,395
Acct. 805 - Fringe Benefits	1,382
Acct. 933 - Lab & Tech Equipment	<u>2,387</u>
 TOTAL APPROPRIATIONS	 <u>\$16,164</u>

and it be further

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

MR. KUWIK moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 11 - MR. KUWIK moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of Comm. 18E-18. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 374 RE: 1998 STOP – DWI Grant Adjustment.

WHEREAS, the 1998 STOP-DWI final fine revenues were greater than anticipated, and

WHEREAS, the contractual expense for local police agencies is calculated on fine revenues, and

WHEREAS, increased fine revenue resulted from an increase in contractual expense for the local police agencies, and

WHEREAS, the fine revenue has already been collected to pay for the increased contractual expense.

NOW, THEREFORE, BE IT

RESOLVED, that the following transactions are hereby authorized to increase revenues and appropriations:

1998 STOP-DWI Program  
SFG Project #844

Revenue

Acct. 369- Other Local Source Revenues \$75,000.00

Appropriation

Acct. 830- Contractual Agencies

\$75,000.00

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the STOP-DWI Office, the Office of the Comptroller and the Division of Budget, Management and Finance.

MR. KUWIK moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 12 – MR. OLMA moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 18E-21. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 375

Re: EDSD #2 - Land Acquisition –  
Lake Shore Rd.

WHEREAS, the Erie County Sewer District No. 2 Board of Managers and the Erie County Legislature have previously authorized construction of a network of sanitary sewers and a sewage treatment facility in the Town of Evans; and

WHEREAS, Erie County Sewer District No. 2 would like to purchase a piece of property (SBL No. 220.00-1-20) adjacent to the Big Sister Sewage Treatment Facility to be used as a buffer; and

WHEREAS, an independent appraisal has been prepared of the property for Erie County Sewer District No. 2; and

WHEREAS, negotiations have resulted in acceptance by the property owner, Daniel J. Blair, of an offer to purchase the property at 8439 Lake Shore Road (SBL No. 220.00-1-20) located in the Town of Evans.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County Sewer District No. 2 be authorized to purchase the piece of property adjacent to the Big Sister Creek Sewage Treatment Facility owned by Daniel J. Blair (SBL No. 220.00-1-20) for the sum of \$31,000; and be it further

RESOLVED, that Comptroller be authorized and directed to allocate the sum of \$31,000 from Sewer Capital Account No. 430-509; and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, Nancy A. Naples, Erie County Comptroller, Kenneth C. Kruly, Director, Budget and Management, and Stephen F. Gawlik, Assistant County Attorney.

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

CARRIED UNANIMOUSLY.

Item 13 - MR. OLMA moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 20E-13. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 376

Re: Rural Van Transportation Prog.  
1999-2000.

**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 \$448,500 to \$453,000 for the purpose of replacing one passenger van and operating the Southtowns Rural Transit Service Van Program, and be it further

**RESOLVED**, that funds are available in the federally funded 1999-2000 Community Development Block Grant Program, and be it further

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

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

CARRIED UNANIMOUSLY.

Item 14 - MRS. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 19E-7. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 377

Re: Health – Use of Bad Debt &  
Charity Care Fund.

WHEREAS, the Erie County Health Department receives funding under the Comprehensive Diagnostic & Treatment Center Indigent Care Program, commonly referred to as the Bad Debt and Charity Care Fund (Public Goods Pool), and

WHEREAS, the revised final uncompensated care payment award letter for the period ending 12/31/99 has been received by the Department of Health, and

WHEREAS, this allows the Department of Health to access the Bad Debt and Charity Care Fund (Public Goods Pool) which was established in order to allow for retroactive adjustments of said payments, and

WHEREAS, the Erie County Department of Health desires to utilize these funds to enhance its Public Health capabilities in its Public Health, Laboratory, and Medical Examiner divisions, and

WHEREAS, these enhancements will reduce operating costs, increase efficiency.

NOW, THEREFORE, BE IT

RESOLVED, that the following budgetary adjustment be made within the Department of Health Budget,

FUND 110 PROJECT 949 DEPARTMENT 270 HEALTH DIVISION		
Increase Account 830-776	Contractual - Unisys	\$250,569
Increase Account 880-4000	Interfund - ECMC	36,000
Increase Account 932	Office Equipment	36,123
Increase Account 933	Lab & Technical Equipment	<u>349,539</u>
	Sub-Total	\$672,231

FUND 110 PROJECT 951 DEPARTMENT 272 PUBLIC HEALTH LAB DIVISION		
Increase Account 933	Lab & Technical Equipment	<u>\$262,500</u>
	Sub-Total	\$262,500

FUND 110 PROJECT 986 DEPARTMENT 273 MEDICAL EXAMINER DIVISION		
Increase Account 933	Lab & Technical Equipment	<u>\$ 37,253</u>
	Sub-Total	\$ 37,253

GRAND TOTAL \$971,984

and be it further

RESOLVED, that the source of funds is the appropriation of deferred revenues available in General Fund, Health Department, Bad Debt and Charity Care (Public Goods Pool) in the amount of \$971,984, and be it further

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

MRS. FISHER moved the approval of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 15 – MRS. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 19E-8. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 378

Re: Health – Healthy Women's Partnership.

WHEREAS, the Erie County Department of Health received a revised grant award from the New York State Department of Health, Health Research Inc., (HRI) to support the

continuation of a network of breast and cervical cancer screening providers for low income, asymptomatic, underserved women aged 40 and over, and

WHEREAS, breast and cervical cancer is a serious health problem in New York State, and

WHEREAS, the New York State Department of Health has funded breast cancer screening projects in high risk areas since 1988, and

WHEREAS, the Erie County Healthy Women's Partnership is made up of a coalition of concerned community agencies and health care providers, and

WHEREAS, the Erie County Health Women's Partnership receives revenue through the New York State Department of Health from two sources namely: 1) Health Research, Inc. (HRI) and 2) New York State Department of Health, and

WHEREAS, HRI and the New York State Department of Health are operating on different fiscal years with HRI disbursing funds based on the federal fiscal year (October 1st - September 30th) and the New York State Department of Health disbursing funds based on its fiscal year (April 1st - March 31st) and

WHEREAS, HRI is amending its contract for the period of July 1, 1998 through September 30, 1999 with the addition of \$9,752.00 bring the total amount of the HRI contract to \$43,752.00. This additional funding is to cover breast and cervical cancer screening services, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept a revised grant award from the Health Research Institute, Inc. through the New York State Department of Health and authorizes the following transactions:

Increase SFG Account 830 Contractual Services	\$9,752
Increase SFG Account 553 New York State Health Department Grant	9,752

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 Office of the Comptroller and the Department of Law.

MRS. FISHER moved the approval of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 16 – MRS. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 19E-9. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 379

Re: Health – Public Health Lab – Transfer  
of Funds.

WHEREAS, the Erie County Public Health Laboratory must dispose of expired hazardous chemicals utilized for laboratory and analytical protocols prior to relocation to the new public health laboratory facility, and

WHEREAS; the Consolidated Stills and Sterilizers steam autoclave must be retrofitted for the new public health laboratory facility. The new public health laboratory facility does not provide building steam, therefore, the autoclave must possess a self-generating steam source, and

WHEREAS, Erie County Public Health Laboratory provides laboratory services to Niagara County which has resulted in an increased usage of medical and health supplies and an increase in public health laboratory fee revenue associated with said services, and

WHEREAS, the Department of Health has analyzed its objects of expense within the Division of Public Health Laboratory, and has determined that in Account 814 Medical & Health Supplies, expenditures will exceed appropriations by an estimated \$13,000, and in Account 823 Repairs and Maintenance, expenditures will exceed appropriations by \$6,000, and in Account 826 Other Expenses, expenditures will exceed appropriations by \$7,000, and

WHEREAS, a transfer of funds must be made in order to continue the provision of this vital public health service for the remainder of the 1999 fiscal year.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the following transactions within the accounts of the Department of Health, Division of Public Health Laboratory, the annual budget for Account 398, Public Health Laboratory Fees having been realized:

Increase Account 814-Medical & Health Supplies	\$13,000
Increase Account 823-Repairs & Maintenance	6,000
Increase Account 826-Other Expenses	7,000

Decrease 880-4000 Interfund Transfer ECMC	13,000
Increase 398 Public Health Laboratory Fees	<u>13,000</u>
Net increase	\$ <u>0</u>

and be it further

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

MRS. FISHER moved to amend the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

WHEREAS, the Erie County Public Health Laboratory must dispose of expired hazardous chemicals utilized for laboratory and analytical protocols prior to relocation to the new public health laboratory facility, and

WHEREAS, the Consolidated Stills and Sterilizers steam autoclave must be retrofitted for the new public health laboratory facility. The new public health laboratory facility does not provide building steam, therefore, the autoclave must possess a self-generating steam source, and

WHEREAS, Erie County Public Health Laboratory provides laboratory services to Niagara County which has resulted in an increased usage of medical and health supplies and an increase in public health laboratory fee revenue associated with said services, and

WHEREAS, the Erie County Medical Center immunodeficiency clinic has requested that the Erie County Public Health Laboratory perform Orasure HIV-1 antibody testing for them as soon as possible, and

WHEREAS, the Department of Health has analyzed its objects of expense within the Division of Public Health Laboratory, and has determined that in Account 814 Medical & Health Supplies, expenditures will exceed appropriations by an estimated \$14,830, and in Account 823 Repairs and Maintenance, expenditures will exceed appropriations by \$6,000, and in Account 826 Other Expenses, expenditures will exceed appropriations by \$7,000, and

WHEREAS, a transfer of funds must be made in order to continue the provision of this vital public health service for the remainder of the 1999 fiscal year.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the following transactions within the accounts of the Department of Health, Division of Public Health Laboratory, the annual budget for Account 398, Public Health Laboratory Fees having been realized:

Increase Account 814-Medical & Health Supplies	\$14,830
Increase Account 823-Repairs & Maintenance	6,000
Increase Account 826-Other Expenses	7,000
Decrease 880-4000 Interfund Transfer ECMC	13,000
Increase 398 Public Health Laboratory Fees	13,000
Increase 685-4000 Interfund Revenue - ECMC	<u>1,830</u>
Net increase	\$ <u>0</u>

and be it further

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

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

CARRIED UNANIMOUSLY.

Item 17 - MRS. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 19E-14. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 380

Re: Health-Agreement w/  
Dalriada Medical.

WHEREAS, the Women's Health Services Program of the Erie County Health Department provides obstetric and gynecological services at various locations throughout Erie County, and

WHEREAS, the Erie County Health Department wishes to contract with Dalriada Medical, P.C. to provide these clinical services as of November 1, 1999, and

WHEREAS, funds are available in Account 821, Dues and Fees in the Health Department's 1999 adopted budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract commencing November 1, 1999 with Dalriada Medical, P.C., to provide clinical services at the rate of \$79,000.00 per year for four clinic sessions per week, and 24

hour/day 7 day/week on-call, service. Each additional clinic session shall be paid at a rate of \$300 per session, and be it further

RESOLVED, that the contract with Dalriada Medical, P.C., is for special services that must be provided immediately and continuously, and therefore the request for proposal procedure required by Local Law No. 6, Section 19.08 of the Administrative Code is hereby waived, and be it further

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

MRS. FISHER moved the approval of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 18 – MRS. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 19E-25. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 381

Re: Mental Health – Re: “Kendra’s Law.”

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

**WHEREAS**, the Erie County Department of Mental Health has reviewed and approved program services supporting the implementation of Assisted Outpatient Treatment from Suicide Prevention & Crisis Services, Inc., and the Mental Health Association of Erie County, Inc., and

**WHEREAS**, the Erie County Legislature has already authorized the County and the Department of Mental Health to contract with Suicide Prevention & Crisis Services, Inc., and the Mental Health Association of Erie County, Inc., and

**WHEREAS**, additional funds of \$81,889 in NYS Office of Mental Health State Aid dollars are available to establish the mandated clinical administrative functions and contracted support services to implement the Assisted Outpatient Treatment Program grant for the remainder of 1999, and

**WHEREAS**, the Assisted Outpatient Treatment Program grant will be continued in the 2000 budget, to comply with the New York State legislation known as "Kendra's Law", and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature hereby establishes a grant for the Assisted Outpatient Treatment Program in the Erie County Department of Mental Health for 1999, and be it further

**RESOLVED**, that the following grant positions be authorized: Special Project Coordinator, Job Grade 13-3 and Senior Account Clerk, Job Grade 6-3, and that the appropriate B100 forms will be forwarded for approval, and be it further

**RESOLVED**, that the following project budget of \$81,889 be established for the period 11/1/99-12/31/99 in the Assisted Outpatient Treatment Program grant, the source of these funds being 100% NYS Office of Mental Health State Aid dollars:

<u>Account</u>		
800	Personal Services	\$13,547
805	Fringe Benefits	\$ 2,867
810	Office Supplies	\$ 100
821	Dues & Fees	\$23,475
824	Travel & Mileage	\$ 200
825	Out-of-Area Travel	\$ 1,000
826	Other Expenses	\$ 100
933	Lab & Technical Equipment	\$ 8,500
830-119	Suicide Prevention & Crisis Services	\$23,000
830-128	Mental Health Association	\$ 9,000
880-5100	Interfund Transfers-DISS	<u>\$ 100</u>
		\$81,889

and be it further

**RESOLVED**, that the County Executive be authorized to amend and increase the 1999 contract with Suicide Prevention & Crisis Services, Inc. for the period January 1, 1999 through December 31, 1999 by an amount not to exceed \$23,000 and with the Mental Health Association of Erie County, Inc. for the period January 1, 1999 through December 31, 1999 by an amount not to exceed \$9,000, and be it further

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

MRS. FISHER moved the approval of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 19 – MS. PEOPLES moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 1D-15(A). MS MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 382

Re: Corrections of Errors on  
Petitions.

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 981350 through 981397 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. 981350 / 9900 - ASSESSOR - Cancel - \$3,630.10

SBL No. 26.15-8-1./12A & 9 OTHERS - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 3,630.10 - Town/SpecialDist/School

Charge to : SWEET HOME CENTRAL 3,630.10

CANCEL - ERROR IN ESSENTIAL FACT, PARCELS WERE TAXED AS NON-HOMESTEAD WHICH IS A HIGHER RATE WHEN IN FACT THESE PARCELS SHOULD BE HOMESTEAD CLASSIFICATION. RPTL 550(3)F.

Petition No. 981351 / 9900 - ASSESSOR - Refund - \$365.24

SBL No. 26.15-8-1./12G - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 365.24 - Town/SpecialDist/School

Charge to : SWEET HOME CENTRAL 365.24

REFUND - ERROR IN ESSENTIAL FACT, PARCEL WAS TAXED AT THE NON-HOMESTEAD RATE WHEN IN FACT IS SHOULD BE THE HOMESTEAD. RPTL 550(3)F.

CHECK IN FAVOR OF: BARBARA MARSALA

Petition No. 981352 / 9900 - ASSESSOR - Cancel - \$120.59

SBL No. 27.00-1-30.12 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 120.59 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 120.59

CANCEL - CLERICAL ERROR, THIS PARCEL WAS ENTITLED TO THE BASIC STAR IN THE AMOUNT OF 7,200 AND WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 981353 / 9900 - ASSESSOR - Cancel - \$120.59

SBL No. 40.68-1-36./11F - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 120.59 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 120.59

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 7,200 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 981354 / 9900 - ASSESSOR - Refund - \$180.21

SBL No. 55.08-5-21 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 180.21 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 180.21

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 7,200 THAT THIS PERSON DID APPLY FOR AND WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: SIDNEY & PATRICIA AKENS

Petition No. 981355 / 9900 - ASSESSOR - Refund - \$207.67

SBL No. 67.57-7-11 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 207.67 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 207.67

REFUND - CLERICAL ERROR, THIS PARCEL APPLIED FOR THE BASIC STAR EXEMPTION IN THE AMOUNT OF 7,200 THAT WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: DEBORAH R GAVAY

Petition No. 981356 / 1999 - ASSESSOR - Refund - \$251.59

SBL No. 68.06-4-3 - TOWN OF AMHERST

Acct. No. 112 - \$ 157.24 - County

Acct. No. 132 - \$ 94.35 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST

94.35

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 16,201 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: JOAN E & KEVIN CRAY

Petition No. 981357 / 9900 - ASSESSOR - Cancel - \$207.67

SBL No. 68.14-5-11 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 207.67 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 207.67

CANCEL - CLERICAL ERROR, THIS PARCEL APPLIED FOR THE BASIC STAR EXEMPTION IN THE AMOUNT OF 7,200 BUT WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 981358 / 1998 - ASSESSOR - Refund - \$160.22

SBL No. 68.17-6-39 - TOWN OF AMHERST

Acct. No. 112 - \$ 97.70 - County

Acct. No. 132 - \$ 62.52 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 62.52

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF PETITION NUMBER 981358 CONTINUED 9,900 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.  
CHECK IN FAVOR OF: ARTHUR G LEX JR & WIFE

Petition No. 981359 / 1999 - ASSESSOR - Refund - \$153.74

SBL No. 68.17-6-39 - TOWN OF AMHERST

Acct. No. 112 - \$ 96.08 - County

Acct. No. 132 - \$ 57.66 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 57.66

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 9,900 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.  
CHECK IN FAVOR OF: ARTHUR G LEX JR & WIFE  
Petition No. 981360 / 1997 - ASSESSOR - Refund - \$158.47

SBL No. 68.17-6-39 - TOWN OF AMHERST

Acct. No. 112 - \$ 99.57 - County  
Acct. No. 132 - \$ 58.90 - Town/SpecialDist/School  
Charge to : TOWN OF AMHERST  
58.90

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 9,900 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.  
CHECK IN FAVOR OF: ARTHUR G LEX JR & WIFE

Petition No. 981361 / 9900 - ASSESSOR - Cancel - \$720.86  
SBL No. 69.17-5-26 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County  
Acct. No. 132 - \$ 720.86 - Town/SpecialDist/School  
Charge to : NYS STAR ENHANCED EXEMPTI 720.86

CANCEL - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO THE ENHANCED STAR EXEMPTION BUT IT ONLY RECEIVED THE BASIC EXEMPTION IN THE AMOUNT OF 7,200 INSTEAD OF THE 36,000 THAT THIS WAS ENTITLED TO. RPTL 550(2)B

Petition No. 981362 / 9900 - ASSESSOR - Refund - \$180.21  
SBL No. 70.05-1-6./92 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County  
Acct. No. 132 - \$ 180.21 - Town/SpecialDist/School  
Charge to : BASIC STAR EXEMPTION 180.21

REFUND -CLERICAL ERROR, THIS PARCEL IS ENTITLED TO THE BASIC STAR EXEMPTION IN THE AMOUNT OF 7,200 THAT WAS APPLIED FOR AND WAS OMITTED IN ERROR FROM THE SCHOOL TAX ROLL. RPTL 550(2)C.  
CHECK IN FAVOR OF: JOSEPHINE A SINAGUGLIA

Petition No. 981363 / 1999 - OWNER - Cancel - \$0.00  
SBL No. - NOT ON FILE

Acct. No. 112 - \$ 0.00 - County  
Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School  
Charge to :

Petition No. 981364 / 9900 - ASSESSOR - Cancel - \$207.66

SBL No. 79.33-1-14 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 207.66 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 207.66

CANCEL - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO THE BASIC STAR EXEMPTION IN THE AMOUNT OF 7,200 THAT WAS APPLIED FOR AND WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 981365 / 9900 - ASSESSOR - Refund - \$1,038.33

SBL No. 80.09-8-20 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,038.33 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 1,038.33

REFUND - CLERICAL ERROR, THIS PARCEL APPLIED FOR AND WAS OMITTED IN ERROR FROM THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 36,000 ON THE SCHOOL TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: JOSEPHIN CANE

Petition No. 981366 / 9900 - ASSESSOR - Cancel - \$720.86

SBL No. 80.11-8-39 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 720.86 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 720.86

CANCEL - CLERICAL ERROR, THIS PARCEL RECEIVED THE BASIC STAR EXEMPTION IN THE AMOUNT OF 7,200 WHEN IT SHOULD HAVE RECEIVED THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 36,000.

Petition No. 981367 / 9900 - ASSESSOR - Refund - \$180.22

SBL No. 81.05-1-26 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 180.22 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 180.22

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 7,200 THAT WAS APPLIED FOR WAS OMITTED IN ERROR FROM THE SCHOOL TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: LOUIS & MARY VOLPINI

Petition No. 981368 / 9900 - ASSESSOR - Cancel - \$180.22

SBL No. 81.06-3-22 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 180.22 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 180.22

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 7,200 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 981369 / 9900 - ASSESSOR - Refund - \$180.21

SBL No. 81.10-2-49 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 180.21 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 180.21

REFUND - CLERICAL ERROR, THIS PARCEL APPLIED FOR THE BASIC STAR EXEMPTION IN THE AMOUNT OF 7,200 BUT WAS OMITTED IN ERROR FROM THE SCHOOL TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: KATHLEEN A HARHIGH

Petition No. 981370 / 9900 - ASSESSOR - Cancel - \$151.95

SBL No. 82.09-2-11 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 151.95 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 151.95

CANCEL - CLERICAL ERROR, THIS PARCEL APPLIED FOR THE BASIC STAR EXEMPTION IN THE AMOUNT OF 7,200 AND WAS OMITTED IN ERROR FROM THE SCHOOL TAX ROLL. RPTL 550(2)C.

Petition No. 981371 / 9900 - ASSESSOR - Refund - \$174.22

SBL No. 226.02-3-7 - TOWN OF BOSTON

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 174.22 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 174.22

REFUND - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO THE BASIC STAR EXEMPTION IN THE AMOUNT OF 7,750 THAT WAS APPLIED FOR AND WAS OMITTED IN ERROR FROM THE TAX ROLL RPTL 550(2)C.  
CHECK IN FAVOR OF: MICHAEL & DARLENE EBERT

Petition No. 981372 / 1999 - ASSESSOR - Refund - \$290.70

SBL No. 57.18-6-22 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County  
Acct. No. 132 - \$ 290.70 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE  
290.70

REFUND - CLERICAL ERROR, THIS PARCEL WAS OVERCHARGED GALLONAGE FIGURE ON THE SEWER TAX. THE GALLONAGE FIGURE USED WAS 114,000 AND SHOULD BE 64,000. RPTL 550(2)E.

PETITION NUMBER 981372 CONTINUED  
CHECK IN FAVOR OF: MICHAEL MEYER & TRACY

Petition No. 981373 / 9900 - ASSESSOR - Cancel - \$5,333.43

SBL No. 70.03-1-17./B - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County  
Acct. No. 132 - \$ 5,333.43 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL  
5,333.43

CANCEL - ERROR IN ESSENTIAL FACT, PARCEL PREVIOUSLY HAD THE SILO STORE ON THE PROPERTY AND WAS REMOVED ON SEPTEMBER 22, 1999.  
RPTL 550(3)A.

Petition No. 981374 / 9900 - ASSESSOR - Cancel - \$607.79

SBL No. 70.07-2-45 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County  
Acct. No. 132 - \$ 607.79 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI  
607.79

CANCEL - CLERICAL ERROR, THIS PARCEL RECEIVED THE BASIC STAR EXEMPTION IN THE AMOUNT OF 10,000 WHEN IN FACT IT SHOULD HAVE RECEIVED THE ENHANCED STAR IN THE AMOUNT OF 50,000. RPTL 550(2)B.

Petition No. 981375 / 9900 - ASSESSOR - Refund - \$151.95

SBL No. 82.06-4-27 - TOWN OF CLARENCE  
Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 151.95 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 151.95

REFUND - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO THE BASIC STAR EXEMPTION IN THE AMOUNT OF 10,000 THAT WAS OMITTED IN ERROR FROM THE SCHOOL TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: PETER M SECRIST

Petition No. 981376 / 9900 - ASSESSOR - Cancel - \$118.20

SBL No. 331.00-2-2.1 - TOWN OF COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 118.20 - Town/SpecialDist/School

Charge to : SPRING-GRIFFITH 118.20

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 7,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 981377 / 9900 - ASSESSOR - Refund - \$174.18

SBL No. 209.00-1-4.12/E - TOWN OF EDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 174.18 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 174.18

REFUND - CLERICAL ERROR, THIS PARCEL IS ENTITLED THE BASIC STAR EXEMPTION IN THE AMOUNT OF 9,920 THAT WAS APPLIED FOR AND OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 981378 / 9900 - ASSESSOR - Cancel - \$24.60

SBL No. 126.03-3-18.2 - - TOWN OF ELMA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 24.60 - Town/SpecialDist/School

Charge to : LANCASTER CENTRAL 24.60

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 6,200 AND SHOULD BE 6,100. RPTL 550(2)A.

Petition No. 981379 / 9900 - ASSESSOR - Refund - \$169.10

SBL No. 24.16-1-41 - TOWN OF GRAND ISLAND

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 169.10 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 169.10

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 6,280 THAT WAS APPLIED FOR AND WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: CAROLE L TRIPI

Petition No. 981380 / 9899 - ASSESSOR - Cancel - \$28,473.66

SBL No. 36.00-4-21.11 - TOWN OF GRAND ISLAND

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 28,473.66 - Town/SpecialDist/School

Charge to : GRND ISLN CENTRAL 28,473.66

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 6,169,040 AND SHOULD BE 1,488,400. RPTL 550(2)A.

CHECK IN FAVOR OF: LIFE TECHNOLOGIES

Petition No. 981381 / 9900 - ASSESSOR - Refund - \$168.97

SBL No. 51.11-1-7 - TOWN OF GRAND ISLAND

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 168.97 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 168.97

REFUND - CLERICAL ERROR, THE STAR EXEMPTION IN THE AMOUNT OF 6,275 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE SCHOOL

PETITION NUMBER 981381 CONTINUED  
TAX ROLL. RPTL 550(2)C.  
CHECK IN FAVOR OF: CAROLINE JONES

Petition No. 981382 / 9900 - ASSESSOR - Refund - \$676.01

SBL No. 51.11-1- - TOWN OF GRAND ISLAND

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 676.01 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 676.01

REFUND - CLERICAL ERROR, THIS PARCEL RECEIVED THE BASIC STAR EXEMPTION IN THE AMOUNT OF 6,275 WHEN IN FACT IT SHOULD HAVE RECEIVED THE ENHANCED EXEMPTION IN THE AMOUNT OF 31,380. RPTL 550(2)B.  
CHECK IN FAVOR OF: GERALD B JR & JOYCE GOODWIN

Petition No. 981383 / 9900 - ASSESSOR - Cancel - \$1,694.08

SBL No. 216.00-6-19.142 & 216.00-6-19.2 - TOWN OF HOLLAND

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,694.08 - Town/SpecialDist/School

Charge to : HOLLAND CENTRAL 1,694.08

REFUND - CLERICAL ERROR, THIS PARCEL WAS COMBINED WITH SBL 216.00-6-19.21 MAKING THIS A DUPLICATE PARCEL. RPTL 550(2)F.  
CHECK IN FAVOR OF: RAYMOND & BARBARA HESS

Petition No. 981384 / 9900 - ASSESSOR - Refund - \$275.48

SBL No. 279.07-4-1 - TOWN OF HOLLAND

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 275.48 - Town/SpecialDist/School

Charge to : HOLLAND CENTRAL 275.48

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 18,588 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.  
CHECK IN FAVOR OF: GRACE C JACKSON

Petition No. 981385 / 9900 - ASSESSOR - Cancel - \$831.35

SBL No. 139.00-8-2 - TOWN OF MARILLA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 831.35 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 831.35

CANCEL - CLERICAL ERROR, THIS PARCEL RECEIVED THE BASIC STAR EXEMPTION IN THE AMOUNT OF 7,100 AND SHOULD HAVE RECEIVED THE ENHANCED STAR IN THE AMOUNT OF 50,170. RPTL 550(2)B.

Petition No. 981386 / 9900 - ASSESSOR - Cancel - \$84.35

SBL No. 20.00-3-27 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 84.35 - Town/SpecialDist/School

Charge to : AKRON CENTRAL 84.35

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE EXEMPTION WAS 22,841 WHEN IN FACT IT SHOULD BE 28,841. RPTL 550(2)B.

Petition No. 981387 / 9900 - ASSESSOR - Cancel - \$1,801.72

SBL No. 60.00-3-6 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,801.72 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD

17.84

CLARENCE CENTRAL

1,783.88

CANCEL - CLERICAL ERROR, THE ASSESSMENT WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSED VALUE WAS 3,004,400 AND SHOULD BE 2,410,360. RPTL 550(2)A.

Petition No. 981388 / 9900 - ASSESSOR - Cancel - \$5,616.09

SBL No. 269.15-2-1.211 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 5,616.09 - Town/SpecialDist/School

Charge to : NORTH COLLINS CENT 5,616.09

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 594,000 AND SHOULD BE 325,000. RPTL 550(2)A.

Petition No. 981389 / 9900 - ASSESSOR - Cancel - \$104.39

SBL No. 269.20-1-22 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 104.39 - Town/SpecialDist/School

Charge to : NORTH COLLINS CENT 104.39

CANCEL- CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 68,800 AND SHOULD BE 63,800. RPTL 550(2)A.

Petition No. 981390 / 9900 - ASSESSOR - Refund - \$130.23

SBL No. 278.00-3-15 - TOWN OF SARDINIA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 130.23 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 130.23  
REFUND - CLERICAL ERROR, THIS PARCEL APPLIED FOR THE BASIC STAR  
EXEMPTION IN THE AMOUNT OF 8,770 AND WAS OMITTED IN ERROR FROM THE  
TAX ROLL. RPTL 550(2)C.

PETITION NUMBER 981390 CONTINUED  
CHECK IN FAVOR OF: EDWARD & PATRICIA ZURZUSKI

Petition No. 981391 / 9900 - ASSESSOR - Cancel - \$852.18

SBL No. 124.54-7-16 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 852.18 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 852.18

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY  
ON THE TAX ROLL. THE ASSESSMENT WAS 73,600 AND SHOULD BE 38,600.  
RPTL 550(2)A.

Petition No. 981392 / 9900 - ASSESSOR - Cancel - \$6,065.44

SBL No. 134.19-5-28 & 15 OTHERS - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 6,065.44 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 6,065.44

CANCEL - CLERICAL ERROR, THESE PARCELS WERE ENTITLED TO RECEIVE THE  
EXEMPTION FOR DISABLED. THE EXEMPTIONS WERE OMITTED IN ERROR FROM THE  
TAX ROLL. EXEMPTIONS WERE IN VARIOUS AMOUNTS DEPENDING ON INCOME.  
RPTL 550(2)C.

Petition No. 981393 / 9900 - ASSESSOR - Cancel - \$872.07

SBL No. 134.60-11-46 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 872.07 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 872.07

CANCEL - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO THE DISABLED EXEMPTION IN THE AMOUNT OF 35,800 AND WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 981394 / 9900 - ASSESSOR - Cancel - \$726.23  
SBL No. 145.05-1-73 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 726.23 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 726.23

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 29,813 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE SCHOOL TAX ROLL. RPTL 550(2)C.

Petition No. 981395 / 9900 - ASSESSOR - Cancel - \$32,734.40

SBL No. 143.14-4-29.1 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 32,734.40 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 32,734.40

CANCEL - CLERICAL ERROR, THE EXEMPTION FOR THE IDA WAS OMITTED IN ERROR FROM THE TAX ROLL. THIS IS UNDER THE PILOT PROGRAM WITH PAYMENT MADE DIRECTLY TO THE WEST SENECA CENTRAL SCHOOL DISTRICT. RPTL 550(2)C.

Petition No. 981396 / 9900 - ASSESSOR - Cancel - \$606.55

SBL No. 143.08-5-17 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 606.55 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 606.55

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 2,490 SHOULD HAVE BEEN ENTERED ON THE TAX ROLL IN THE AMOUNT OF 29,400. RPTL 550(2)B.

Petition No. 981397 / 9900 - ASSESSOR - Cancel - \$425.69

SBL No. 152.06-4-25 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 425.69 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 425.69  
CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION WAS ENTERED IN THE  
AMOUNT OF 6,990 AND SHOULD HAVE BEEN ENTERED AS 24,465 ON THE  
SCHOOL TAX ROLL. RPTL 550(2)B.

MS. PEOPLES moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 20 – MS. PEOPLES moved to discharge the FINANCE & MANAGEMENT  
COMMITTEE from further consideration of Comm. 19E-18. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 383

Re: County-Owned Property Sold  
At Auction on 10-13-99.

WHEREAS, the Division of Budget, Management and Finance did receive requests from one or more adjoining property owners or non-adjoining property owners to purchase the following listed parcels of County owned inventory, and

WHEREAS, the parcels were reviewed and approved for sale by the Advisory Review Committee of Erie County, and

WHEREAS, the Erie County Legislature approved them to be put to sale in a resolution adopted at the 17th Session of the Legislature on September 23, 1999 (REF: Comm. 16E-32) and

WHEREAS, in addition to the advertisement of the sale in the Buffalo Law Journal and the Buffalo News, all adjacent owners were sent a letter indicating the date, time and place of the sale in order to give all interested parties the opportunity to attend the sale and bid;

NOW, THEREFORE BE IT RESOLVED, that the Erie County Legislature is requested to approve the sale of these parcels to the following persons who successfully bid on them at the sale on October 13, 1999;

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Amherst, County of Erie and State of New York being part of Farmlot 84, Township 12, Range 7 and is further described on Erie County Tax Maps as Section, Block and Lot No. 67.410-2-24 (3245 Sheridan 142.30 x 28.66). Intending to convey all land acquired by Erie County as Serial No. 919 in the County In Rem Tax Foreclosure Action 150 to 3245 Sheridan Trust and/or Assignees, 320 Lakeside, Angola, New York 14006 for the sum of Six Hundred Fifty and 00/100 Dollars (\$ 650.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Boston, County of Erie and State of New York being part of Farmlot 29, Township 8, Range 7 and is further described on Erie

County Tax Maps as Section, Block and Lot No. 226.010-2-12.130 (Charles Drive 75.00 x 80.00). Intending to convey all land acquired by Erie County as Serial No. 935 in the County In Rem Tax Foreclosure Action 145 to Eric and Rebecca Henry, 7608 Back Creek Road, Hamburg, New York 14075 for the sum of Two Hundred and 00/100 Dollars (\$200.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York being part of Farmlot 74, Township 11, Range 7 and according to a map filed in the Erie County Clerk's Office under Map Cover 1575 is known as Sublot 246 and is further described on Erie County Tax Maps as Section, Block and Lot No. 92.150-5-25 (Carl 40.00 x 110.00). Intending to convey all land acquired by Erie County as Serial No. 753 in the County In Rem Tax Foreclosure Action 142 to Shirley M. Grill, 229 Hyland Road, Depew, New York 14043 for the sum of Two Hundred and 00/100 Dollars (\$200.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Eden, County of Erie and State of New York being part of Farmlot 7, Township 8, Range 8 and is further described on Erie County Tax Maps as Section, Block and Lot No. 210.000-2-37 (4041 North Boston 2 acres). Intending to convey all land acquired by Erie County as Serial No. 1072 in the County In Rem Tax Foreclosure Action 147 to Carl L. McMahon & David T. Kasper, 4031 N. Boston Road, Eden, New York 14057 for the sum of One Thousand and 00/100 Dollars (\$1000. 00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Evans, County of Erie and State of New York being part of Farmlot 75, Township 8, Range 9 and according to a map filed in the Erie County Clerk's Office under Map Cover 505 (Iroq. Beach 1/10 Interest 4000a) is known as Sublot 10 and is further described on Erie County Tax Maps as Section, Block and Lot No. 234.120-1-39 (8554 Lakeshore Road 45.00 x 80.00). Intending to convey all land acquired by Erie County as Serial No. 1354 in the County In Rem Tax Foreclosure Action 152 to Finley R. Greene, Jr., 8554 Lakeshore Road, Angola, New York 14006 for the sum of Six Hundred and 00/100 Dollars (\$ 600.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Evans, County of Erie and State of New York being part of Farmlot 85, Township 8, Range 9 and according to a map filed in the Erie County Clerk's Office under Map Cover 1345 (L E B) is known as Sublots 3287-3288 and is further described on Erie County Tax Maps as Section, Block and Lot No. 250.110-10-40 (Eisenhower Avenue 40.00 x 100.00). Intending to convey all land acquired by Erie County as Serial No. 1134 in the County In Rem Tax Foreclosure Action 147 to James A. Auman, 3318 Abbott Road, Orchard Park, New York 14127 for the sum of Five Hundred and 00/100 Dollars (\$ 500.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town Hamburg, County of Erie and State of New York being part of Farmlot 13, Township 9, Range 8 and according to a map filed in the Erie County Clerk's Office under Map Cover 712 is known as Sublot 810 in Block 8 and is further described on Erie County Tax Maps as Section, Block and Lot No. 170.670-4-6 (Harvard Street 31.00 x 118.00). Intending to convey all land acquired by Erie County as Serial No. 1278 in the County In Rem Tax Foreclosure Action 146 to David Swiech, 5036 Pittsburg Street, Hamburg, New York 14075 for the sum of One Thousand One Hundred and 00/100 Dollars (\$1100. 00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Hamburg, County of Erie and State of New York being part of Farmlot 28, Township 9, Range 8 and is further described on Erie County Tax Maps as Section, Block and Lot No. 182.090-1-15 (Amsdell 170.00 x 80.00). Intending to convey all land acquired by Erie County as Serial No. 102 in the County In Rem Tax Foreclosure Action 130 to Charles Mullins and Madelyn Mullins, 5960 Newton Road, Orchard Park, New York 14127 for the sum of Three Hundred Fifty and 00/100 Dollars (\$ 350.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Orchard Park, County of Erie and State of New York being part of Farmlot 31, Township 10, Range 7 and according to a map filed in the Erie County Clerk's Office under Map Cover 1216 is known as Lots 5 and 6 in Block A and is further described on Erie County Tax Maps as Section, Block and Lot No. 151.160-4-1.100 (Abbott Road 70.75 x 134.83). Intending to convey all land acquired by Erie County as Serial No. 1209 in the County In Rem Tax Foreclosure Action 151 to Charles Mullins and Madelyn Mullins, 5960 Newton Road, Orchard Park, New York 14127 for the sum of One Thousand Four Hundred and 00/100 Dollars (\$1400.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of North Collins, County of Erie and State of New York being part of Farmlot 58, Township 7, Range 8 and is further described on Erie County Tax Maps as Section, Block and Lot No. 316.020-1-20 (2142 Seneca Street 58.00 x 151.00). Intending to convey all land acquired by Erie County as Serial No. 1525 in the County In Rem Tax Foreclosure Action 152 to Joseph G. Haier, 2153 Main Street, Lawtons, New York 14091 for the sum of Five Thousand and 00/100 Dollars (\$5000.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of North Collins, County of Erie and State of New York being part of Farmlot 26, Township 7, Range 8 and is further described on Erie County Tax Maps as Section, Block and Lot No. 317.000-3-7 (Jennings Road 208.71 x 200.71). Intending to convey all land acquired by Erie County as Serial No. 1305 in the County In Rem Tax Foreclosure Action 147 to Robert Telaak, 7900 Feddick Road, Hamburg, New York 14075 for the sum of Five Hundred and 00/100 Dollars ( \$ 500.00), and be it further

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie for each of the above described properties to the aforesaid purchasers, and be it further

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

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

CARRIED UNANIMOUSLY.

Item 21 – MR. FITZPATRICK moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 19D-11. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 384

Re: Ridge Rd, Lackawanna.

WHEREAS, the 1998 County Budget, under Extraordinary County Aid to Local Governments includes \$300,000.00 for the reconstruction of Ridge Road in the City of Lackawanna, and

WHEREAS, the City of Lackawanna wishes to proceed with the project,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature does hereby authorize the release of \$300,000.00 from the 1998 encumbrance under Extraordinary County Aid to Local Governments, Account Code 110904303830696, for use as the County's contribution for the reconstruction of Ridge Road in the City of Lackawanna, and be it further,

RESOLVED, that said funding be transferred to the Department of Public Works capital project number 135, 1999 Federal Aid - Various Construction Projects, and be it further,

RESOLVED, that the Commissioner of Public Works is authorized to enter into an agreement with the City of Lackawanna for this assistance, 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 Division of Budget, Management & Finance; one copy to the Office of the Comptroller; one copy to the Department of Law; and one copy to the City of Lackawanna's Comptroller.

MR. FITZPATRICK moved the approval of the resolution. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 22 - MR. FITZPATRICK moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 19D-12. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 385

Re: Demolition - Former  
E.J. Meyer.

WHEREAS, your Honorable Body approved contracts for the Demolition, Phase II, Former E.J. Meyer Hospital Buildings, on July 1, 1999, and

WHEREAS, funds were authorized and contracts were awarded to Cleveland Wrecking Co. in the amount of \$356,011.00, and

WHEREAS, the administration at the Erie County Medical Center has requested that the Department of Public Works initiate the construction of a Community Health Center at the existing "K" Annex Building on the E.J. Meyer Site, and

WHEREAS, the Department of Public Works requested a quotation from Cleveland Wrecking Co. for demolition of the interior partitions and concrete slab and asbestos abatement for

the "K" Annex Building to expedite the project in the amount of \$152,000.00,

NOW, THEREFORE, BE IT,

RESOLVED, that the construction contingency fund be increased from \$50,000 to \$202,000 with authorization for the Commissioner of Public Works to approve change orders, and be it further,

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

RESOLVED that the source of funds shall be the appropriation of unanticipated revenues in the amount of \$152,000 available in DAC 110923310304, Payments in Lieu of Taxes, the annual budget for this account having been realized, said funds shall be transferred to the Department of Public Works into Fund 511, SFG 888, Dept. 220, Account 975, and be it further,

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

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

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DeBENEDETTI, PEOPLES, DUSZA, SWANICK, MARINELLI, PAULY, and RANZENHOFER. NOES: GREENAN, CHASE, MARSHAL, WEINSTEIN, and LARSON. AYES: 15 NOES: 5

MOTION CARRIED.

Item 23 – MR. FITZPATRICK moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 20D-15. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 386

Re: Two Mile Creek Greenway Bike Path.

WHEREAS, the Department of Public Works received bids on October 28, 1999 for the Two Mile Creek Greenway Bike Path, and

WHEREAS, the Engineer, the Department of Public Works and the Department of Environment & Planning are recommending award to the lowest responsible bidder for the Two Mile Creek Greenway Bike Path,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into a contract for the Two Mile Creek Greenway Bike Path as follows:

SITE WORK

Buffalo Creek Landscaping	
Base Bid	\$333,355.00
Add Alternate "A"	<u>\$ 95,700.00</u>
Total Contract Award	\$429,055.00

and be it further,

RESOLVED, that this contract award is subject to the approval of the New York State Department of Transportation, and be it further,

RESOLVED, that the sum of \$83,000.00 be allocated for a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders not to exceed the amount of the contingency, and be it further,

RESOLVED, that \$17,945.00 be allocated for DPW expenses, advertising, etc., and be it further,

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

RESOLVED, that the Comptroller's Office be authorized to make payment for all of the above from the 1998 Two Mile Creek Greenway Capital Project, SFG 746, Fund 410, Dept. 620 and the 1998 Two Mile Creek Greenway Capital Project, SFG 796, Fund 410, Dept. 620 in the amount of \$530,000.00, 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 Division of Budget, Management & Finance; one copy to the Comptroller's Office; and one copy to the Department of Environment and Planning.

MR. FITZPATRICK moved the approval of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 24 – MR. FITZPATRICK moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 20D-16. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 387

Re: E.C. Family Court Bldg.

WHEREAS, the Department of Public Works received bids on October 26, 1999 for the Erie County Family Court Facility, Bid Packages 6, 7 & 8, and

WHEREAS, the Architect/Construction Manager and the Department of Public Works are recommending award to the lowest responsible bidders,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into the following contracts for the Erie County Family Court Facility - Bid Packages 6, 7 & 8:

Bid Package No. 6

Curtain Walls/Windows

Clayton B. Obersheimer, Inc. Base Bid	\$714,700
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Bid Package No. 7

Roofing

All-Weather Contractors, Inc. Base Bid	\$174,592
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Bid Package No. 8

Spray-on Fireproofing

Northeastern Insulation Co., Inc Base Bid	\$430,700
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Total for all contracts: \$1,319,992

and be it further,

RESOLVED, that the amount of \$30,000.00 be allocated to cover the maximum amount of bonus/liquidated damages to the contractors permitted by the contract, and be it further,

RESOLVED, that the sum of \$130,000.00 be allocated for a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders in an amount not to exceed the amount of the contingency, and be it further,

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

RESOLVED, that the sum of \$20,000.00 be allocated for DPW overhead and Project Engineer salaries, and be it further,

RESOLVED, that all these authorizations are contingent upon the funds being made available, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the Court Facilities Improvements, Project 750, Fund 410, and be it further,

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

MR. FITZPATRICK moved the approval of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 25 – MR. FITZPATRICK moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 20D-18. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 388

Re: Roof Repair – Emergency Response.

WHEREAS, funds were authorized and a contract was awarded by the Department of Public Works for the Roof Repair - Emergency Response Services - All County-owned Buildings to Jameson Roofing Co., and

WHEREAS, the total expenditure of this contract which was based upon a project-by-project basis has been reached,

NOW, THEREFORE, BE IT,

RESOLVED, that the total expenditure be increased from \$80,000 to \$150,000, with authorization for the Commissioner of Public Works to approve the work based upon the NYS Department of Labor Prevailing Wage Rate Schedule and for all materials furnished and installed for each emergency response repair, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the following bond accounts:

Roof Replacement, SFG 877, Fund 511	\$	6,000
Roof Reconstruction, School 84, SFG 858, Fund 511	\$	5,000
Resurfacing - Various County Parks, SFG 543, Fund 410	\$	5,000
Highway Garage Renovations, SFG 697, Fund 410	\$	5,000
Youth Detention Facility Renovations, SFG 806, Fund 410	\$	5,000
Roof Replacement & Waterproofing, SFG 808, Fund 410	\$	4,000
Roof Replacement & Waterproofing, SFG 831, Fund 410	\$	10,000
Athletic Center-ECC, SFG 549, Fund 480	\$	5,000
Roof Repair-ECC, SFG 601, Fund 480	\$	5,000
ECC Atrium Skylight Reconstruction, SFG 679, Fund 480	\$	5,000
ECC Roof Construction, SFG 680, Fund 480	\$	5,000
EC Home Brick Repoint & Masonry, SFG 146, Fund 520	\$	5,000
EC Home Window Replacement, SFG 894, Fund 520	\$	5,000
Total	\$	70,000

and be it further,

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

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

CARRIED UNANIMOUSLY.

Item 26 - MR. HOLT moved to discharge the SOCIAL SERVICES COMMITTEE from further consideration of Comm. 19E-10. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 389

Re: Senior Services – Authorization to Amend CSE & EISEP.

WHEREAS, the Erie County Legislature has already appropriated funds for the Community Services for the Elderly (CSE) and the Expanded In-Home Services for the Elderly (EISEP) programs for the period April 1, 1999 to March 30, 2000, and

WHEREAS, the New York State Office for the Aging has notified the Department of Senior Services of current State allocations for the CSE and EISEP programs, and

WHEREAS, the Department of Senior Services desires to revise these grant budgets by providing community-based subcontract agencies with additional funds to increase minimum salaries for trained and experienced case managers and coordinators to \$10 per hour and \$11 per hour respectively and expand case management services to the elderly, and

WHEREAS, no additional County funds are needed,

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the CSE grant, project #158, for the period April 1, 1999 through March 31, 2000 be amended as follows:

<u>REVENUES</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>AMENDED BUDGET</u>
Account Description			
617 State Aid-Comm	\$775,016	+\$18,858	\$793,874
TOTAL CHANGE TO REVENUES		+\$18,858	

RESOLVED, that the budget for the EISEP grant, project 159, for the period April 1, 1999 through March 31, 2000 be amended as follows:

<u>REVENUES</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>AMENDED BUDGET</u>
Account Description			
617 State Aid-Comm	\$1,418,601	+\$22,306	\$1,440,907
TOTAL CHANGES TO REVENUES		+\$22,306	

RESOLVED, that the following agencies cash awards be increased by the following amounts to increase salaries and pay for other costs associated with the provision and expansion of case management services to the elderly;

1999-00 ADDITIONAL CSE/EISEP ALLOCATIONS

ACCOUNT	AGENCY	CSE (Proj. 158)	EISEP (Proj. 159)	TOTAL
830	0321	So. Bflo. Comm. Dev. Assoc.	\$2,895	\$2,895
830	0397	Comm. Concern-Evans & Brant	\$2,873	\$2,873
830	0230	Friendship House-Lackawanna	\$9,360	\$9,360
830	0228	St. Augustine Community Ctr.	\$4,344	\$4,344
830	0373	Bflo. Fed. of Neighbrhd. Ctrs	\$2,071	\$2,071
830	0309	Ken-Bailey Area Plan. Comm. Inc.	\$4,992	\$4,992
839	9355	Bailey Delavan Area Plan.Com.Inc.	\$4,992	\$4,992
830	0356	Northwest Bflo. Comm. Ctr. Inc.	\$2,459	
830	0317	North Bflo. Comm. Devel. Corp.	\$3,200	\$3,200
830	0362	Polish Community Center	\$2,000	\$2,000
839	9391	Other Home Care Agencies	\$1,978	\$1,978
		TOTAL	\$18,858	\$22,306
				\$41,164

and be it further

RESOLVED, that the County Executive is authorized to accept the additional CSEA and EISEP funding and amend the existing contracts with the above agencies to incorporate the additional funding for the period April 1, 1999 to March 31, 2000, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the Comptroller's office and the Department of Senior Services.

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

None.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 27 – (Comm. 21E-1) Notice of Moody's Investors Service Upgrade of Erie County's Credit Rating.

Item 28 – (Comm. 21E-2) Audit of County Flexible Benefits Program with Health Economics Group, Inc. as of the Plan Year Ended 12/31/98.

Item 29 – (Comm. 21E-3) Review of County of Erie's Tentative Budget – 2000.

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

FROM THE COUNTY EXECUTIVE

Item 30 – (Comm. 21E-4) Criminal Justice Departments – Transfer of Funds.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 31 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 390

Re: Appointments to Commission  
on the Status of Women. (Comm.  
21E-5)

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of the following individuals to the Erie County Commission on the Status of Women:

APPOINTMENTS	TERM EXPIRES
Sheila Schwanekamp, Esq. 5528 Pine Loch Lane Clarence, New York 14221	6/2002
Sheila Murphy 965 Jewett Homewood Ave. East Aurora, New York 14052	6/2002

Sheila Murphy will replace Lordes Iglesias who resigned from the board.

MR. MARSHALL moved to send Comm. 21E-5 to the GOVERNMENT AFFAIRS COMMITTEE. MR. RANZENHOFER seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: GREENAN, CHASE, MARSHALL, WEINSTEIN, RANZENHOFER, and LARSON. NOES: KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DeBENEDETTI, PEOPLES, DUSZA, SWANICK, MARINELLI, and PAULY. AYES - 6, NOES - 11.

MOTION DEFEATED.

MS. PEOPLES moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 32 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 391

Re: Appointment to Board of  
Managers of ECMC. (Comm. 21E-6)

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of the following person to serve on the Board of Managers of the Erie County Medical Center:

APPOINTMENT	Term Expires
Richard Slisz 216 Niagara Shore Line Tonawanda, NY 14150	12/31/01

MR. MARSHALL moved to send Comm. 21E-6 to the GOVERNMENT AFFAIRS COMMITTEE. MR. RANZENHOFER seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: GREENAN, CHASE, MARSHALL, WEINSTEIN, RANZENHOFER, and LARSON. NOES: KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DeBENEDETTI, PEOPLES, DUSZA, SWANICK, MARINELLI, and PAULY. AYES - 6, NOES - 11.

MOTION DEFEATED.

MS. PEOPLES moved the approval of the resolution. MS. MARINELLI seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DeBENEDETTI, PEOPLES, DUSZA, SWANICK, MARINELLI, and PAULY. NOES: GREENAN, CHASE, MARSHALL, WEINSTEIN, RANZENHOFER, and LARSON. AYES - 11, NOES - 6.

CARRIED.

Item 33 – (Comm. 21E-7) Health – Supplemental Aid to Localities Grant Medical Examiner's Toxicology Laboratory 4/1/99 – 3/31/01.

Item 34 – (Comm. 21E-8) Health – Divisions of EMS & Public Health – Transfer of Funds.

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

Item 35 – (Comm. 21E-9) Social Services – Enhanced Drug & Alcohol Services Grant.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 36 – (Comm. 21E-10) National Association of Counties Radon/Indoor Air Demonstration Program Grant – Building Healthy Homes in Erie County Program.

Item 37 – (Comm. 21E-11) Sub-Recipient Agreement Lackawanna Community Development Corporation.

Item 38 – (Comm. 21E-12) ECSD No. 2 Engineering Services for 18 Mile Creek Pump Station Restoration Abate Eng. Assoc. P.C. Change Order No. 1.

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

Item 39 – (Comm. 21E-13) Filling Vacant Positions.

Item 40 - (Comm. 21E-14) Filling Vacant Positions.

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

Item 41 – (Comm. 21E-15) Senior Services – Authorization to Accept Grant Funds & Enter into Sub-Contract.

Item 42 – (Comm. 21E-16) Senior Services – Authorization to Amend CSE Grant Budget.

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

Item 43 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 392

Re: Sheriff's Office COPS  
Domestic Violence Test. (Comm.  
21E-17)

WHEREAS, the United States Department of Justice, Community Oriented Policing Services has awarded \$487,265, to the Erie County Sheriff's Office to participate in the COPS - Domestic Violence Test Site Grant to combat domestic violence and elder abuse on the Native American reservations in Erie County, and

WHEREAS, these funds will be used to create one (1) Coordinator, Domestic Violence Test Site, Job Group 10 and two (2) Deputy Sheriffs-Criminal, Job Group 8, and

WHEREAS, these funds will allow Crisis Services and Child and Family Services (Haven House) to provide counseling and advocate services to this program.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the United States Department of Justice and is authorized to accept funding for an eighteen month period in the amount of \$487,265, and it be further

RESOLVED, that the Sheriff's Office is authorized to create one (1) Coordinator, Domestic Violence Test Site, Job Group 10 and two (2) Deputy Sheriffs Criminal, Job Group 8, in the grant fund, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into subcontracts with Crisis Services to provide an Elder Abuse Counselor and with Child and Family Services (Haven House) to provide a Domestic Violence Advocate to work with Sheriff's Deputies on this program, and it be further

RESOLVED, that authorization is hereby provided to budget these funds in the grant fund for a twelve month period as follows:

SHERIFF'S OFFICE - GRANT FUND  
COPS - Domestic Violence Test Site  
January 1, 2000 - December 31, 2000

<u>REVENUE</u>		<u>Increase</u>
Acct. 684-100	Federal Aid Miscellaneous	<u>\$348,525</u>
	TOTAL REVENUE	<u>\$348,525</u>

<u>APPROPRIATIONS</u>		<u>Increase</u>
Acct. 800	Personal Services	122,665
Acct. 801	Overtime	10,725
Acct. 805	Fringe Benefits	32,535
Acct. 810	Office Supplies	2,500
Acct. 821	Dues & Fees	40,000

Acct. 825	Out of Area Travel	10,000
Acct. 826	Other Expenses	4,000
Acct. 830-119	Contracted Services - Crisis Services	38,500
Acct. 830-735	Contracted Services - Haven House	36,500
Acct. 930	Motor Vehicle Equipment	38,000
Acct. 933	Lab and Technical Equipment	<u>13,100</u>
	TOTAL APPROPRIATIONS	<u>\$348,525</u>

and it be 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.

MS. PEOPLES moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 44 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 393

Re: 1999 Ellicott Creek Clean Up  
Project. (Comm. 21E-18)

WHEREAS, on January 1, 1999 the County of Erie entered into a contract with the Erie County Soil and Water Conservation District (ECSWCD) to clean up sites along Ellicott Creek in and around Ellicott Creek Park, and:

WHEREAS, the Erie County Legislature appropriated FIFTY THOUSAND and NO/ 100 DOLLARS (\$50,000.00) for the purpose of carrying out the project, and

WHEREAS, said \$50,000 was included in the Erie County Department of Environment and Planning's (ECDEP) 1999 Budget as "Ellicott Creek Clean-Up Project" in Fund 110, Project 922, Department 302 (DAC 1109223028301025), and

WHEREAS, as of May 1, 1999 the ECSWCD has expended \$19,559.60 on Phase I of this clean up effort, and

WHEREAS, said clean up work will be extended downstream and upstream of Ellicott Creek Park and along other creeks with similar environmental clean up requirements, and

WHEREAS, said additional clean up efforts will extend into the year 2000 and require additional funding, and

WHEREAS, the Legislature desires to make \$50,000.00 available for said additional clean up efforts, so that this project may continue, and

NOW THEREFORE BE IT

RESOLVED, that the Legislature does hereby approve the transfer of \$19,559.60 from the County Contingency Fund (DAC 110 923310893) to ECDEP Fund 110, Project 922, Department 302 (DAC 110 9223028301025) in the 1999 Budget,

and be it further

RESOLVED, that the November 1, 1999 contract with the Soil and Water Conservation District is hereby amended by increasing the maximum contract amount from \$50,000.00 to an amount not to exceed \$70,000.00, and be it further

RESOLVED, that the clerk of the Legislature, the Director of the Division of Budget, Management and Finance, and the Commissioner of the Department of Environment and Planning are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds to amend ECDEP's 1999 Budget, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy Naples, Budget Director Kenneth Kruly, Environment and Planning Commissioner Richard Tobe, Jim Cotter -Administrative Assistant, Department of Budget, Management and Finance, Jennifer Anger -Administrative Assistant, Erie County Legislature, LuAnn Freeman, Erie County Soil and Water Conservation District, and three copies to First Assistant County Attorney Alan Gerstman.

MS. PEOPLES moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM ECMC

Item 45- (Comm. 21D-1) Notice of Board of Manager's Meeting to be Held 11/18/99.

Received and referred to the HEALTH COMMITTEE.

FROM ECC

Item 46- (Comm. 21D-2) Notice of Board of Trustees Committee Meetings Held 11/9/99, 11/10/99 & 11/15/99.

Received and filed.

Item 47 - (Comm. 21D-3) Notice of Board of Trustees Committee Meeting Held 11/17/99.

Received and filed.

FROM ECMC

Item 48- (Comm. 21D-4) Board of Managers Finance Committee 11/5/99 – Financial Statements for 9/99.

Received and referred to the HEALTH COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 49- (Comm. 21D-5) Notice of County Executive's Public Hearing Comms. 18E-5, 19E-35, Inros. 20-1 & 20-2.

Received, filed and printed.

November 5, 1999

Ms. Laurie Manzella  
Clerk Of The Legislature  
25 Delaware Avenue  
7th Floor  
Buffalo, New York 14202

**RE: Notice of Public Hearing**  
**Resolution Reference Comm. 18E-5, Comm. 19E-35 Intro. 20-1 and Intro. 20-2**

Dear Ms. Manzella:

Enclosed herein is a copy of the Public Hearing Notice for the above captioned Resolutions Reference Comm. 18E-5, Comm. 19E-35, Intro. 20-1 and Intro. 20-2 which were adopted by the Erie County Legislature on November 4, 1999.

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

Very truly yours,

KENNETH A. SCHOETZ  
Erie County Attorney

By: Alan P. Gerstman  
1<sup>st</sup> Assistant County Attorney

APG/sl Encl.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that Erie County Executive Dennis T. Gorski, will hold a public hearing on Tuesday, November 16, 1999 at 10:00 a.m., concerning appropriations from the County contingency fund for the following purposes:

DEPARTMENT OF ENVIRONMENT & PLANNING (SPORT FISHERY PROMOTION PROGRAM)	\$14,000.00
TOWN OF HAMBURG	\$11,366.00
MEALS ON WHEELS	\$ 2,000.00
EVERYWOMAN OPPORTUNITY CENTER, INC.	\$ 2,500.00
WEST SIDE BUSINESS & TAXPAYERS ASSOCIATION	\$ 1,000.00
FIRST PRESBYTERIAN CHURCH AT BUFFALO	\$ 500.00
ERIE COUNTY SHERIFF'S DEPARTMENT (ALDEN SWAT RANGE)	\$22,500.00
AMHERST YOUTH BOARD	\$ 1,000.00
CLARENCE YOUTH CENTER	\$ 1,000.00
AKRON/NEWSTEAD YOUTH BOARD	\$ 2,500.00
AKRON CHAMBER OF COMMERCE	\$ 1,000.00
CLARENCE CHAMBER OF COMMERCE	\$ 2,000.00
AKRON/NEWSTEAD SENIOR CITIZENS	\$ 1,000.00
CLARENCE SENIOR CENTER	\$ 2,000.00

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

On November 4, 1999 the Erie County Legislature adopted Resolutions Reference Comm. 18E-5, Comm. 19E-35, Intro. 20-1 and Intro. 20-2. Copies of the Resolutions are available for inspection in the office of the Clerk of the Erie County Legislature, on the 7th Floor of 25 Delaware Avenue, in the City of Buffalo, New York.

DENNIS T. GORSKI  
Erie County Executive

FROM ECC

Item 50- (Comm. 21D-6) Notice to Cancel Board of Trustees Committee Meeting  
Scheduled for 11/9/99.

Received and filed.

FROM ECMC

Item 51- (Comm. 21D-7) Agenda for Board of Managers Meeting to be Held 11/18/99.

Received and referred to the HEALTH COMMITTEE.

FROM DPW

Item 52- (Comm. 21D-8) Erie County Correctional Facility, Contingency Fund Increase.

Item 53- (Comm. 21D-9) Erie County Family Court Facility – Bid Packages 6, 7, & 8.

Item 54- (Comm. 21D-10) Two Mile Creek Greenway Bike Path (JZ-98-1).

Item 55- (Comm. 21D-11) Maintenance Agreement with NYS Thruway Authority Baseline Road Bridge (CR 249) Over Thruway at MP N16.46, Town of Grand Island.

Item 56- (Comm. 21D-12) Borden Road Bridge (CR 322) Bin 3-32702-0 Over Buffalo Creek, Town of West Seneca.

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

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE ECIDA

Item 57 - (Comm. 21M-1) Notice of Board of Directors Meeting Held 11/10/99.

Received and filed.

FROM THE SENECA COUNTY BOARD OF SUPERVISORS

Item 58 - (Comm. 21M-2) Certified Copy of Resolution Re: Opposing Creation of a Tax-Free Enterprise Zone.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM NYSDEC

Item 59 - (Comm. 21M-3) Fact Sheet – Clean Up Activities at 527 Cornwall Street, City of Buffalo.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM MELINDA HOLLAND

Item 60 - (Comm. 21M-4) Summary of Task Force Meeting Held 10/19/99 & Notice of Meeting Held 11/9/99.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM NYSDEC

Item 61 - (Comm. 21M-5) Fact Sheet – Former Gastown Manufactured Gas Plant Site.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE CHEEKTOWAGA TOWN CLERK

Item 62 - (Comm. 21M-6) Certified Copy of Resolution Re: Memorialize Erie County to Authorize Town of Cheektowaga to Erect Sign.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NYS BOARD OF REAL PROPERTY SERVICES

Item 63 - (Comm. 21M-7) List of Certified 1999 State Equalization Rates.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE NFTA

Item 64 - (Comm. 21M-8) 17A Report & Capital Expenditure Reports for 2<sup>nd</sup> Quarter of Fiscal Year Ending 3/31/00.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE BUFFALO CITY CLERK

Item 65 - (Comm. 21M-9) Certified Copy of Resolution Re: Closing of Erie County Public Library Branches.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE ERIE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

Item 66- (Comm. 21M-10) Agenda for Meeting Held 11/16/99.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE ERIE COUNTY MENTAL HYGEINE COMMUNITY SERVICES BOARD

Item 67 - (Comm. 21M-11) Agenda for Meeting to be Held 11/18/99.

Received and referred to the HEALTH COMMITTEE.

FROM THE COLDEN TOWN BOARD

Item 68 - (Comm. 21M-12) Certified Copy of Resolution Re: In Opposition to ECMC Proposed Year 2000 Budget Closure of Southern Erie Clinical Services.

Received and referred to the HEALTH COMMITTEE.

FROM MELINDA HOLLAND

Item 69 - (Comm. 21M-13) Draft Policy Statement for West Valley Citizen Task Force.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

MEMORIAL RESOLUTIONS

Item 70 - Legislator Peoples requested that when this legislature adjourns, it do so in memory of Chance Huff and Natisha Raidford; the two young people that lost their lives in the Lackawanna tragedy on Monday.

Item 71 - Legislator Chase requested that when this legislature adjourns, it do so in memory of Sister Theophane.

Item 72 - Legislator Dusza requested that when this legislature adjourns, it do so in memory of Mrs. Pietruszka, the mother of Judge Pietruszka.

ADJOURNMENT

Item 73 - At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MS. PEOPLES moved that the Legislature adjourn until **2:00 p.m., Thursday, November 23, 1999**. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature **adjourned until Thursday, November 23, 1999 at 2 p.m. Eastern Standard Time.**

LAURIE MANZELLA  
CLERK