

ERIE COUNTY LEGISLATURE  
MEETING NO. 5  
March 4, 1999

The Legislature was called to order by Chairman Swanick.

All Members Present with the exception of Mr. Fitzpatrick.

A moment of silence was held.

The Pledge of Allegiance was led by MR. DUSZA

MS. PEOPLES moved to approve the minutes of meetings 3 and 4 of 1999. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

MISCELLANEOUS RESOLUTIONS

Item 1 - MS. CHASE and MR. MARSHALL presented a resolution Honoring the Orchard Park Symphony Orchestra as it celebrates its Fiftieth Anniversary. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

Item 2 – MR. GREENAN presented a resolution Congratulating West Seneca Christian School Girls Basketball Team for Winning the IAC Championship Playoffs. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 3 – MS. CHASE and MR. MARSHALL presented a resolution Honoring Dennis Vacco. Mr. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

CHAIRMAN SWANICK directed that et al sponsorship be added.

CARRIED UNANIMOUSLY.

Item 4 - MS. MARINELLI presented a resolution Honoring B. Paul Hodan on his Retirement from Erie Community College After 31 Years of service to the School. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

CHAIRMAN SWANICK directed that et al sponsorship be added.

CARRIED UNANIMOUSLY.

Item 5 – MS. PEOPLES presented a resolution Honoring the Life of Eugene Davis, Longtime Teacher of the Buffalo City Schools who Passed Away Recently. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

CHAIRMAN SWANICK directed that et al sponsorship be added.

CARRIED UNANIMOUSLY.

Item 6 - MR. SWANICK and MR. DUSZA presented a resolution Congratulating the Nineteen Winners of the Am-Pol Eagle Citizen of the year Awards. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

CHAIRMAN SWANICK directed that et al sponsorship be added.

CARRIED UNANIMOUSLY.

Item 7 – MR. DUSZA presented a resolution Commemorating the General Pulaski Association for Sponsoring the Annual Pulaski Day Parades. MR. KUWIK seconded

CARRIED UNANIMOUSLY.

Item 8 – MR. GREENAN presented a resolution Congratulating Les Kremmerer for Achieving 200 Victories as Coach of West Seneca Christian Boys Basketball Team. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

Item 9 – MS. PEOPLES, MRS. FISHER, and MR. HOLT presented a resolution to the United States Census Bureau and Community Partnership Specialist Derrick M. Byrd to make the 2000 Census the most accurate to date locally. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

#### LOCAL LAWS

Item 10 - CHAIRMAN SWANICK directed that Local Law Intro No. 1 (Print #1) 1998 remain on the table and in the HEALTH COMMITTEE.

Item 11 - CHAIRMAN SWANICK directed that Local Law Intro. No. 3 (Print#1) 1999 remain on the table and in the PUBLIC SAFETY COMMITTEE.

#### COMMITTEE REPORTS

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

CARRIED UNANIMOUSLY

RESOLUTION NO. 74

February 22, 1999

PUBLIC SAFETY  
COMMITTEE  
REPORT NO. 3

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

1. Item Page - 1999 (Comm. 4E-6)

**COUNTY EXECUTIVE**

WHEREAS, in past years, the Erie County Legislature has allocated funds to the Erie County Department of Emergency Services Hazardous Materials (Haz-Mat) team, and

WHEREAS, the county's Haz-Mat team is responsible for addressing problems relating to the mitigation of hazardous materials that are spilled, leaked or otherwise released into the local area, bringing such dangerous situations to a safe conclusion, and

WHEREAS, the County's Haz-Mat team is responsible for responding to all biological hazards and terrorist threats, also bringing such dangerous situations to a safe conclusion, and

WHEREAS, 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 appropriation of \$24,350 in unanticipated revenues in the General Fund 110, Department 310, Countywide Accounts Monitored by Budget, Account 301 - Section 520 Exemption Removal, the annual budget for this account having been realized, to Fund 110, Department 670 - Department of Emergency Services for the purpose of funding the County's Hazardous Materials (Haz-Mat) Team for potential situations where mitigation of hazardous materials is deemed necessary, as follows:

|   |         |
|---|---------|
| Upgrade D-Con Trailer - Lab & Tech. Equip., Account 933 | \$3,500 |
| Hose Connections for new plumbing system                |         |
| New Dry Deck for Trailer                                |         |
| Side Tent for Trailer Exit Door                         |         |

|  |          |
|--|----------|
| Equipment for Response - Lab & Tech. Equip., Account 933 | \$7,000  |
| Desktop computer for command post                        |          |
| Laptop computer for on scene                             |          |
| Response software for NBC                                |          |
| Upgrade MS Office Software                               |          |
| Pagers for all team members - Rental, Account 822        | \$4,200  |
| Supplies for Response - Clothing Supplies, Account 811   | \$9,650  |
| Coveralls for all team members                           |          |
| Turnout coats for team commanders                        |          |
| Level "A" suits for entry team                           |          |
| Level "B" suits for entry team                           |          |
|  |          |
| Total Appropriation                                      | \$24,350 |

and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis T. Gorski, Budget Director Kenneth C. Kruly, Emergency Services Commissioner Michael Walters and Emergency Services Deputy Commissioner Dean Messing.

(5-0)

**CHAIRMAN  
EDWARD J. KUWIK**

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

CARRIED UNANIMOUSLY.

Item 13 - MR. OLMA presented the following and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 75

February 23, 1999

ENERGY & ENVIRONMENT  
COMMITTEE  
REPORT NO. 3

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

1. Item Page - 1998 (Comm. 24E-25)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning has received the following low bid for Contract 26L, Broadway Collector Sewer Project on December 3, 1998

| <u>Contract</u> | <u>Low Bidder</u>  | <u>Amount Bid</u> |
|-----------------|--|-------------------|
| 26L             | Tom Greenauer Development, Inc.<br>2699 Transit Road<br>Elma, New York 14059 | \$113,926.00      |

WHEREAS, the aforementioned bidder has been recognized as successfully performing similar work in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Broadway Collector Sewer Contract No. 26L be awarded to the low bidder as follows:

| <u>Contract</u> | <u>Low Bidder</u>  | <u>Amount Bid</u> |
|-----------------|--|-------------------|
| 26L             | Tom Greenauer Development, Inc.<br>2699 Transit Road<br>Elma, New York 14059 | \$113,926.00      |

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned low bidder subject to approval as to form by the County Attorney and certification of availability of funds from the Project Fund Balance or an authorized advance from the General Fund by the Comptroller's Office; and be it further

RESOLVED, that the Comptroller is authorized and directed to allocate \$113,926.00 from Sewer Capital, Erie County Sewer District No. 4 Fund No. 430, Project No. 502 and be it further

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

(4-1) Legislator Greenan absent. Legislator Olma – negative. Chairman Swanick present as ex-officio member

AS AMENDED

2. Item Page - 1999 (Comm. 1E-23)

COUNTY EXECUTIVE

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DATED \_\_\_\_\_ 1999

A RESOLUTION APPROVING (1) AN INCREASE AND IMPROVEMENT OF FACILITIES FOR ERIE COUNTY SEWER DISTRICT NO. 6 IN THE COUNTY OF ERIE, NEW YORK AND (2) AN APPLICATION TO THE STATE COMPTROLLER FOR CONSENT FOR EXPENDITURE OF FUNDS FOR SAID INCREASE AND IMPROVEMENT OF FACILITIES.

(Introduced) \_\_\_\_\_ 1999.

(Adopted) \_\_\_\_\_ 1999.

WHEREAS, The County Legislature of the County of Erie, New York, has heretofore duly caused to be prepared a report and estimate of cost, by the County Engineers (Erie County Department of Environment and Planning) relating to an increase and improvement of the facilities of said District No. 6, which report and estimate of cost have been filed with the County Legislature pursuant to Section 268 of the County Law; and

WHEREAS, such report and estimate of cost have been accepted and adopted on December 17, 1998 by the Board of Managers of said District pursuant to a written resolution which has been filed with said County Legislature; and .

WHEREAS, said report and estimate of cost describe a proposed increase and improvement of the facilities of Erie County Sewer District No. 6 in said County, consisting of expansion of the existing "A" Street Overflow Retention Facility, sanitary sewers, a sewage pumping station, and related facilities, all as more fully described in the report and estimate of cost herein referred to; and

WHEREAS, the maximum estimated cost of the aforesaid increase and improvement of the facilities of said Sewer District is \$8,000,000; and

WHEREAS, the consent of the State Comptroller must be obtained prior to the expenditure for said increase and improvement if such expenditure is to be financed by the issuance of bonds or notes of the County therefor, and the cost thereof to the Typical Property (as defined in the County Law), which is \$20.32, is above the Average Estimated Cost of \$15.00 to the Typical Properties for similar types of expenditures, as computed by the State Comptroller, in accordance with the provisions of Section 268 of the County Law; and

**MEETING NO. 5**

**March 4, 1999**

**ERIE COUNTY LEGISLATURE**

WHEREAS, said County Legislature duly adopted Resolution No. 26 on the 4<sup>TH</sup> day of February 1999, calling a meeting of the County Legislature for the purpose of holding a public hearing on the aforesaid increase and improvement of facilities in accordance with the aforesaid report and estimate of cost; and

WHEREAS, said County Legislature has heretofore duly caused to be prepared by the Department of Environment and Planning an Application to the State Comptroller for his consent to the total expenditure for such increase and improvement, such Application to be executed and verified by and on behalf of the County by the County Executive; and

WHEREAS, said public hearing was duly held at 25 Delaware Avenue, Buffalo, New York, in said County, on the 4<sup>th</sup> day of March, 1999, at 1:30 o'clock P.M., Prevailing Time; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof was submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at such public hearing; and

WHEREAS, said County Legislature has reviewed said Application, as prepared by the Department of Environment and Planning; and

WHEREAS, the aforesaid increase and improvement has been determined to be a "Type I Action" pursuant to the Regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed will not result in any significant environmental impacts;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of Erie County Sewer District No. 6 in the County of Erie, New York, all as more fully described in the preambles hereof, and such increase and improvement of facilities is hereby authorized at a maximum estimated cost of \$8,000,000.

Section 2. Said Application to the State Comptroller was prepared at the direction of said County Legislature;

Section 3. Said County Legislature believes the contents of the Application to be accurate.

Section 4. Said County Legislature has determined that the expenditure for which consent is sought is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof.

Section 5. The cost of the proposed expenditure is to be assessed against a benefited area which consists of the entire area of Erie County Sewer District No. 6.

Section 6. Said Application is hereby directed to be forwarded by the County Executive to the State Comptroller to obtain his consent to the total expenditure authorized herein, and such expenditure shall not be made or contract let for the purposes authorized herein until such consent has been obtained.

Section 7. This resolution shall take effect immediately.  
(5-0) Legislator Greenan absent. Chairman Swanick present as ex-officio member

**GREGORY OLMA  
CHAIRMAN**

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

CARRIED UNANIMOUSLY.

Item 14 – MS. PEOPLES presented the following and moved for immediate consideration. MS. DUSZA seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 76

February 23, 1999

ECONOMIC DEVELOPMENT  
COMMITTEE  
REPORT NO. 3

LEGISLATORS GREENAN AND FITZPATRICK ABSENT. ALL OTHER MEMBERS PRESENT.  
CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

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

- a. 

|      |      |       |               |
|------|------|-------|---------------|
| Item | Page | -1998 | (Comm. 7M-16) |
|------|------|-------|---------------|

**BUFFALO NIAGARA INTERNATIONAL AIRPORT:** Re: Copy of Letter to Chairman Swanick  
 Re: Proposed Study to Update the Airside Portion of Master for Airport.  
 (4-0) Legislators Greenan and Fitzpatrick absent Chairman Swanick present as ex-officio member.

2. 

|      |      |        |              |
|------|------|--------|--------------|
| Item | Page | - 1999 | (Comm. 4D-7) |
|------|------|--------|--------------|

**DPW**

WHEREAS, the Department of Public Works wishes to engage the services of a consulting firm that specializes in reviewing client utility bills for the purpose of identifying billing errors or overcharges and obtaining any repayments due to the County of Erie, and

WHEREAS, the Department of Public Works solicited proposals from various consulting firms which are available for review during regular business hours, and,

WHEREAS, after careful review of each firms capabilities, the Department of Public Works has selected the firm of Troy & Banks 4536 Main Street Buffalo New York 14226 to provide the required services.

NOW, THEREFORE, BE IT,

RESOLVED, that the County is hereby authorized to enter into an agreement with the firm of Troy & Banks to provide utility bill review services to the County of Erie, and be it further

RESOLVED, that all payment for services rendered shall be taken from moneys recovered (if any) due to utility company over charges and, be it further

RESOLVED, that two (2) certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner.

(4-0) Legislators Greenan and Fitzpatrick absent Chairman Swanick present as ex-officio member.

**AS AMENDED**

(Comm. 4D-8)

3. Item Page - 1999

**DPW**

WHEREAS, funds were authorized and contracts were awarded by the Department of Public Works for the Renovations to Elma Meadows Clubhouse & Administration Building - Phase III, in an amount not to exceed \$119,040.00, and

WHEREAS, during the course of work, it was discovered that unforeseen conditions and additional work requested by the Department of Parks and Recreation's Commissioner would require an additional \$27,000.00 funding to the construction contingency,

NOW, THEREFORE, BE IT,

RESOLVED, that the construction contingency fund and DPW overhead be increased from \$25,000.00 to \$52,000.00, 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 Comptroller's Office be authorized to make payments from the following accounts:

--\$17,000.00 from 1998 Buildings & Grounds O&M Budget, Fund 110, SFG 912, encumbered in DP24022; and

--\$10,000.00 from 1998 Parks Comfort Station & Shelter Repairs, SFG 852, Fund 410, to be transferred to the Department of Public Works into Fund 410, SFG 781, Department 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 Department of Parks & Recreation; and one copy to the Department of Budget, Management & Finance.

(4-0) Legislators Greenan and Fitzpatrick absent Chairman Swanick present as ex-officio member.

**AS AMENDED**

4. Item Page - 1999 (Comm. 4D-9)

**DPW**

WHEREAS, architectural/engineering design services are required for Erie Community College, Dental Hygiene Lab Renovations, and

WHEREAS, the firm of EI Team LLC presently has a General Architectural/Engineering Contract with the County of Erie to provide design services,

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Public Works be authorized to issue a Supplemental Agreement to EI Team LLC in an amount not to exceed \$26,200.00 for a Project Initiation Report for the Erie Community College, Dental Hygiene Lab Renovations, and be it further,

RESOLVED, that the \$26,200.00 fee allocation be taken from the ECC 1999 O&M account, and be it further,

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

(4-0) Legislators Greenan and Fitzpatrick absent Chairman Swanick present as ex-officio member.

5. Item Page - 1999 (Comm. 4E-21)

**COUNTY EXECUTIVE**

WHEREAS, The County of Erie, desires to participate in the demolition of abandoned grain elevators and mills in the Town of Tonawanda; and

WHEREAS, These structures have been vacant and unused for decades, are a blight on the surrounding community and have been the site of accidental deaths; and

WHEREAS, The Erie County Industrial Development Agency is an economic development agency with expertise in the area of project construction management; and

WHEREAS, The Erie County Industrial Development Agency has agreed to coordinate and manage the demolition project;

NOW, THEREFORE BE IT

RESOLVED, That the County Executive is authorized to enter into contracts with the Erie County Industrial Development Agency in amounts not to exceed a total of \$350,000, for the purpose of funding the demolition of the Tonawanda Grain Mills and Elevator including engineering costs, and be it further

RESOLVED, That the source of these funds shall be \$250,000 available in the Business Site Development Fund in Agency Payments, Public Benefit Agencies, monitored by the Department of Environment and Planning (DAC 1109223028301030) and \$100,000 available in the County Contingency Account in County-wide Accounts monitored by Budget (DAC 110923310893) which funds in the amount of \$350,000 are hereby transferred to the Erie County Industrial Development Agency in Agency Payments, monitored by the Department of Environment and Planning (DAC 110922302830139), and be it further

RESOLVED, That the Clerk of the Legislature be directed to send certified copies of this resolution to the Budget Director, the Commissioner of Environment and Planning and First Assistant County Attorney Alan P. Gerstman.

(4-0) Legislators Greenan and Fitzpatrick absent Chairman Swanick present as ex-officio member.

MICHAEL FITZPATRICK  
CHAIRMAN

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

CARRIED UNANIMOUSLY.

Item 15 – MS. MARINELLI presented the following and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 77

February 25, 1999

COMMUNITY ENRICHMENT  
COMMITTEE  
REPORT NO. 3

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

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

- Item Page -1999 (Comm. 1D-6)
- a. **ECC:** Response to Legislator Marinelli Re: Academic & Student Services Programming & Out-of-Classroom Support Activities Update.  
(4-0) Legislator Pauly and Chairman Swanick absent for vote.
- Item Page -1999 (Comm. 1E-4)
- b. **MARINELLI:** Copy of Letter to ECC Re: Fiscal & Budgetary Impacts of the SUNY Mandated General Education - Liberal Arts 32 Hrs of Core Curriculum.  
(4-0) Legislator Pauly and Chairman Swanick absent for vote.
- Item Page -1999 (Comm. 1E-9)
- c. **MARINELLI:** Copy of Letter to County Executive Re: Master Plan for Distribution of & Enhancement of Services Through Receipt of New Streams of Revenue '99-02.  
(4-0) Legislator Pauly and Chairman Swanick absent for vote.

LYNN MARINELLI  
CHAIRPERSON

MS. MARINELLI moved the adoption. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 16 - MR. DUSZA presented the following and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 78

February 25, 1999

GOVERNMENT AFFAIRS  
COMMITTEE  
REPORT NO. 3

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

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

- Item Page -1999 (Comm. 4D-1)
- a. **COUNTY ATTORNEY:** Notices of Claim.  
(6-0) Chairman Swanick Present as Ex-officio member.

- b. Item Page -1999 (Comm. 4E-25)  
**COUNTY EXECUTIVE: Personnel Adjustment.**  
(6-0) Chairman Swanick Present as Ex-officio member.
- c. Item Page -1999 (Comm. 4M-1)  
**HARNES HORSE BREEDERS OF NYS, INC: Opposing OTB's Effort to Purchase & Operate Batavia Downs.**  
(6-0) Chairman Swanick Present as Ex-officio member.
- d. Item Page -1999 (Comm. 4M-15)  
**OTB: Minutes of Board of Directors' Meeting Held. 12/3/98.**  
(6-0) Chairman Swanick Present as Ex-officio member.
- e. Item Page -1999 (Comm. 4M-19)  
**CITY OF BATAVIA: Copy of Resolution Re: Encouraging Efforts of OTB to Save Batavia Downs.**  
(6-0) Chairman Swanick Present as Ex-officio member.
2. Item Page - 1999 (Comm. 3E-17)  
**COUNTY EXECUTIVE**

WHEREAS, the County desires to retain the services of a professional firm which has in-depth experience in promoting the interests of a local government entity at the New York State level of government, and

WHEREAS, the need for the County of Erie to wage an effective lobbying effort at the State Capitol takes on even greater significance given the potential threat of state aid losses and the unique funding needs and service missions of Erie County government, and

WHEREAS, in accordance with Section 19.08 of the County Administrative Code, a Request for Proposal was forwarded to several firms and a Public Notice ran in the Buffalo News, and

WHEREAS, the responses to the Request for Proposal were reviewed and evaluated, and

WHEREAS, it is recommended that the County of Erie enter into a one-year contract with the firm Bolton-St. Johns, Inc., One Commerce Plaza, Suite 1810, Albany, New York 12260 for purposes of providing a variety of services including, but not limited to, direct negotiation of program and fiscal legislative initiatives designed to enhance Erie County programs; meetings with agency heads and directors to assist in the development of rules and regulations conducive to Erie County programs; and briefing the Governor's program and budget staff on Erie County's position on issues of importance to the County.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive is authorized to enter into contract with the firm Bolton-St. Johns, Inc. to represent and promote the interests of the County of Erie at the New York State level of

government and to provide such services to the County of Erie for a twelve month period beginning January 1, 1999 with a fee structure consisting of a basic fee for services of thirty thousand (\$30,000) dollars per year, and reimbursement of incidental expenses that are incurred in the specific performance of services for Erie County in an amount not to exceed four thousand (\$4,000) dollars, and be it further

RESOLVED, that the sum of thirty-four thousand (\$34,000) dollars is hereby appropriated from Department 310, Account 830 - Contractual Agencies and Service Charges, Subaccount 0105 -Municipal Association Fees, for the purpose of funding the aforementioned contract with the firm Bolton-St. Johns, Inc., and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Director of Budget and Management and the County Comptroller.

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

RAYMOND K. DUSZA  
CHAIRMAN

MR. RANZENHOFER moved to separate item #2 and approve the balance of the report. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MR. DUSZA moved to approve item #2. MS. PEOPLES seconded. MR. RANZENHOFER voted in the negative.

CARRIED.

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

CARRIED UNANIMOUSLY.

Item 17 – MR. HOLT presented the following and moved for immediate consideration. MRS. FISHER seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 79

February 25, 1999

SOCIAL SERVICES  
COMMITTEE  
REPORT NO.2

ALL MEMBERS PRESENT.

**AS AMENDED**

1. Item Page - 1999 (Comm.3E-10)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services has been awarded \$39,000 in Federal Temporary Assistance to Needy Families (TANF) funding under the Merit Incentives program, and

WHEREAS, this is one-time funding which is to be used to reward seventh, eighth or ninth grade students in receipt of TANF benefits who are excelling in academic studies and are participating in community service with a 501-3C organization, and

WHEREAS, the Department presented and New York State approved a plan whereby personal computers and basic computer training will be provided to thirty (30) students, and

WHEREAS, the program is targeted to the City of Buffalo and the City of Lackawanna School systems and is limited to clients currently enrolled in the Child Assistance Program (CAP), and

WHEREAS, there are currently 400 cases in the CAP program and 78 of these participants are eligible to receive a computer under this program, and .

WHEREAS, the identification of students to receive the computers will be conducted by the CAP program administrative team in consultation with respective casework staff, and

WHEREAS, this funding is an overwhelming opportunity to provide students of excellence with a learning resource and tool that they would otherwise not have during their junior high school years..

NOW, THEREFORE, BE IT

RESOLVED, that the Department is hereby authorized to accept the Federal award and to administer the Merit Incentive Program, and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 1999 Adopted Budget:

Department of Social Services, Department 200, Fund 120

| <u>ACCOUNT DESCRIPTION</u>             | <u>INCREASE/<br/>(DECREASE)</u> |
|--|---------------------------------|
| 933 Laboratory and Technical Equipment | <u>\$39,000</u>                 |
| Total Expenditures                     | <u>\$39,000</u>                 |
| 826 Federal Aid- Family Assistance     | <u>\$39,000</u>                 |
| Total Revenues                         | <u>\$39,000</u>                 |

and be it further

RESOLVED, that implementation of the program be held in abeyance pending further approval of the Legislature, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of the Department of Social Services as well as the Director of Budget and Management.

(5-0)

2. Item Page - 1999 (Comm.3E-25)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature has already appropriated funds for the Health Insurance Information, Counseling and Assistance Program (HIICAP) grant for the period October 1, 1998 to September 30, 1999, and

WHEREAS, the New York State Office for the Aging has notified the Department of Senior Services of a one-time supplement of \$4,700 in federal HIICAP funds and adjusted the grant period to September 1, 1998 through September 27, 1999, and

WHEREAS, the Department of Senior Services desires to revise the above grant budget to reflect the actual needs of the grant which service those elderly most at risk,

**NOW, THEREFORE, BE IT**

RESOLVED, that the County Executive is hereby authorized to accept the one-time supplemental funds, and be it further

RESOLVED, that the grant period be adjusted to September 1, 1998 through September 27, 1999, and be it further

RESOLVED, that the budget for the HIICAP grant be revised as follows:

HIICAP - Project 822

| <u>REVENUES</u>          |                    | <u>CURRENT BUDGET</u> | <u>CHANGES</u> | <u>AMENDED BUDGET</u> |
|--------------------------|--------------------|-----------------------|----------------|-----------------------|
| <u>Account</u>           | <u>Description</u> |                       |                |                       |
| 664                      | Federal Aid        | \$3,790               | +\$4,700       | \$8,490               |
| TOTAL CHANGE TO REVENUES |                    |                       | +\$4,700       |                       |



**COUNTY EXECUTIVE**

WHEREAS, the New York State Office of Children and Family Services has \$19,567 in additional state aid eligibility that requires no additional county matching funds, and

WHEREAS, the New York State Office of Children and Family Services has specifically designated \$19,567 for the Compass House Homeless Transitional Program.

NOW, THEREFORE, BE IT

RESOLVED, that \$19,567 is hereby appropriated to Account 830, sub-account 0778 Runaway Reimbursement, in the Department of Youth Services-Youth Division's, 1998 regular operating budget, to cover the cost of contracting with the above listed agency, and be it further

RESOLVED, that the source of funds is \$19,567 in state aid from the New York State Office of Children and Family Services, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into and execute any applications, contracts included therein, and amendments with the State of New York and the above listed agency, and be it further

RESOLVED, that the Erie County Legislature hereby makes a finding that it is impracticable to follow the standard RFP procedure, and hereby waives the procedures outlined in section 19.08 of the Erie County Administrative Code, since the State Division For Youth requires that these special services must be provided by Compass House and this program has been approved by the Erie County Youth Services Board, and be it further

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

(5-0)

5. Item Page - 1999 (Comm.4E-4)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature has already appropriated funds for the Congregate Dining Nutrition Program (III-C-1) for the period January 1, 1999 to December 31, 1999, and

WHEREAS, the Erie County Department of Senior Services has subcontracted with the Police Athletic League, Inc. to provide congregate dining meals to the elderly residents of the West Side of Buffalo, and

WHEREAS, the Department has received notification that the Police Athletic League, Inc. has ceased to provide these needed services as of December 31, 1998, and

WHEREAS, the Department wishes to continue providing these nutrition meals to this elderly population, and

WHEREAS, effective January 1, 1999, the Erie Regional Housing Development Corporation has been designated the permanent facilitator for the 104 Maryland Street Center, and

**WHEREAS**, in order to continue the Congregate Dining Program at 104 Maryland Street, the Erie Regional Housing Development Corporation needs the resources for this program transferred in their name, and

**WHEREAS**, the County budget for this grant is in need of revision, and

**WHEREAS**, no additional County funds are required,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive be and hereby is authorized to enter into contract with the Erie Regional Housing Development Corporation for the period January 1, 1999, to December 31, 1999, in the amount of \$2,009 to provide Congregate Dining meals for the elderly at 104 Maryland Street, Buffalo, New York, and be it further

**RESOLVED**, that the following transactions are hereby authorized in the budget of the Congregate Dining Nutrition Program:

APPROPRIATIONS

| <u>Account</u> | <u>Description</u>                       | <u>Original Budget</u> | <u>Change</u> | <u>Revised Budget</u> |
|----------------|--|------------------------|---------------|-----------------------|
| 830 660        | Police Athletic League of Buffalo, Inc.  | \$2,009                | -\$2,009      | \$ -0                 |
| 830            | Erie Regional Housing Development, Corp. | \$-0-                  | +\$2,009      | \$2,009               |

and be it further

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

(5-0)

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

**COUNTY EXECUTIVE**

**WHEREAS**, The Erie County Legislature has already appropriated funds for the Weatherization Referral and Packaging Program (WRAP-SOFA) for the period October 1, 1998 to September 30, 1999, and

**WHEREAS**, Niagara Mohawk has notified the Department of Senior Services that the remaining funds from the 1997 Weatherization Referral and Packaging Programming (WRAP-SOFA) grant can be used in 1998 and 1999, and

**WHEREAS**, the Department of Senior Services desires to revise the above grant budget to reflect the actual needs of the grant, and

NOW, THEREFORE, BE IT

RESOLVED, that the WRAP-SOFA grant be revised as follows:

REVENUES

| <u>Account</u> | <u>Description</u>           | <u>Current Budget</u> | <u>Changes</u> | <u>Revised Budget</u> |
|----------------|------------------------------|-----------------------|----------------|-----------------------|
| 444            | Project 904<br>Local Revenue | \$0                   | \$+1,297       | \$1,297               |

APPROPRIATIONS

|     |                               |          |          |          |
|-----|-------------------------------|----------|----------|----------|
| 826 | PROJECT 904<br>Other Expenses | \$13,000 | \$+1,297 | \$14,297 |
|-----|-------------------------------|----------|----------|----------|

and be it further

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

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

**COUNTY EXECUTIVE**

WHEREAS, the New York State Office for the Aging (SOFA) has approved a grant for continuation of the Operation Restore Trust Program in Erie County to educate senior citizens about health care fraud, and

WHEREAS, the American Red Cross - Greater Buffalo Chapter has agreed to assist in the education and volunteer recruitment efforts in senior centers and the Long Tenn Care Ombudsman Program, and

WHEREAS, no additional County funds are required,

**NOW, THEREFORE, BE IT**

RESOLVED, that the County Executive be and is hereby authorized to accept from SOFA \$17,000 for the Operation Restore Trust program, and be it further

RESOLVED, that the County Executive be and is hereby authorized to enter into a contract with the American Red Cross for \$16,000, and be if further

RESOLVED, that the Operation Restore Trust Grant budget for the period October 1, 1998 to September 30, 1999 be established as follows:

| REVENUES |                           | INITIAL BUDGET |
|----------|---------------------------|----------------|
| Account  | Description               |                |
| 443      | In-Kind/Subcontract Funds | \$ 5,667       |

|                |                       |          |
|----------------|-----------------------|----------|
| 664            | Federal Aid for Aging | 17,000   |
|                | TOTAL REVENUES        | \$22,667 |
| APPROPRIATIONS |                       |          |
| 810            | Office Supplies       | \$ 100   |
| 812            | Food Supplies         | 125      |
| 822            | Rentals               | 100      |
| 826            | Other Expenses        | 6,042    |
| 830/418        | American Red Cross    | 16,000   |
| 880            | Interfund-DISS        | 300      |
|                | TOTAL APPROPRIATIONS  | \$22,667 |

and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the County Attorney's Office and the Department of Senior Services.  
(5-0)

8. Item Page - 1999 (Comm.4E-12)  
**COUNTY EXECUTIVE**

WHEREAS, the New York State Office of Children and Family Services has \$8,100 in additional state aid eligibility that requires no county matching funds, and

WHEREAS, the Department of Youth Services has received previous approval from the Erie County Legislature [Comm. # 14 E-50] to receive an additional \$8,100 of unanticipated state aid eligibility from the New York State Office of Children & Family Services to fund the Kids Voting USA Program which must be passed through the United Way of Buffalo and Erie County.

NOW, THEREFORE, BE IT

**RESOLVED**, that the County Executive is hereby authorized to enter into and execute any applications, contracts included therein, and amendments with the State of New York and the United Way of Buffalo and Erie County for the aforementioned program, and be it further

**RESOLVED**, that the Erie County Legislature hereby makes a finding that it is impracticable to follow the standard RFP procedure, and hereby waives the procedures outlined in section 19.08 of the Erie County Administrative Code, since these special services must be provided immediately and have been approved by the Erie County Youth Board, and be it further

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

9. Item Page - 1999 (Comm.4E-13)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services has been awarded an allocation of \$57,507 in Federal and State funding for a special overtime project to conduct administrative actions in review and adjustment of child support orders, and

WHEREAS, the Department is required to initiate action on 3,611 child support cases which are dated prior to September 15, 1989, and

WHEREAS, this special funding is to be used to increase the Departments overtime allocation in the 1999 adopted budget to enable staff in the Office of Child Support Enforcement to work overtime to accomplish required review and adjustment activities, and

WHEREAS, the review and adjustment of child support cases is expected to result in an overall increase in child support collections.

**NOW, THEREFORE, BE IT**

RESOLVED, the Department of Social Services is hereby authorized to accept the allocation of additional Federal and State funding, and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 1999 Adopted Budget:

**Department of Social Services, Department 200, Fund 120**

| <b><u>ACCOUNT</u></b> | <b><u>DESCRIPTION</u></b>           | <b><u>INCREASE</u></b> |
|-----------------------|-------------------------------------|------------------------|
| 801                   | Personal Services (overtime)        | <u>\$57,507</u>        |
|                       | Total Expenditures                  | <u>\$57,507</u>        |
| 596                   | State Aid - Social Services Admin   | \$37,955               |
| 649                   | Federal Aid - Social Services Admin | <u>19,552</u>          |
|                       | Total Revenues                      | <u>\$57,507</u>        |

and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Commissioner of the Department of Social Services as well as the Director of Budget and Management.

(5-0)

10. Item Page - 1999 (Comm.4E-15)

**COUNTY EXECUTIVE**

WHEREAS, the County of Erie has been awarded \$10,000 in 100 percent State funds which will be used to coordinate, develop and implement a comprehensive countywide plan that will assist all children and youth to acquire the developmental assets necessary to become competent parents, workers and citizens of Erie County, and

WHEREAS, the Erie County Coordinating Council on Children and Families will be the vehicle for the implementation of the Integrated County Planning (ICP) Initiative for Erie County, and the Department of Social Services will receive and distribute the State funds, and

WHEREAS, five Erie County Departments serving children and families (Health, Mental Health, Probation, Social Services and Youth Services) will participate in developing the ICP Initiative for Erie County, and

WHEREAS, a total of eight (8) meetings will be held to obtain information and feedback from the citizens of the community and human service providers regarding issues around children, youth and families, and

WHEREAS, information obtained from the public meetings will be considered when the Departments of Social Services and Youth Services jointly develop a plan that also integrates key portions of the Erie County Department of Mental Health Strategic Plan, the Health Departments Community Health Assessment and the Probation Department Plan, and

WHEREAS, key stakeholders such as: the Boards of Education, Board of Cooperative Educational Services (BOCES), the Business Sector, NYS Development Disabilities Service Office (NYS DDSO), Private Foundations, Municipal Youth Bureaus, Office of Alcoholism and Substance Abuse Services (OASAS), NYS office of Mental Health (NYS OMH), Parents Groups, the Faith Community and the United Way will be invited to join the County in this planning effort, and

WHEREAS, the amount of \$10,000 is being provided to Erie County through the Department of Social Services to fund consultant fees, travel, equipment, supplies and other expenses for this project, and

WHEREAS, there is no local share fiscal impact as the State funding will fully support the planning activities.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and/or the Commissioner of Social Services are hereby authorized to accept the \$10,000 of 100 percent State funds and to execute any necessary contracts for the Integrated County Planning Initiative for the period January 1, 1999 to December 31, 1999 and be it further

RESOLVED, that the following appropriation and revenue budget amendments are hereby authorized for the Erie County Coordinating Council on Children and Families, Fund 281, Project 210, Department 110 for the period January 1, 1999 to December 31, 1999:

| <b>Account</b> | <b>Description</b>                 | <b>Amount</b>   |
|----------------|------------------------------------|-----------------|
| 821            | Dues and Fees                      | 3,000           |
| 825            | Out of Area Travel                 | 1,500           |
| 826            | Other Expenses                     | 4,000           |
| 933            | Laboratory and Technical Equipment | 1,500           |
|                | Total Expenditures                 | <u>\$10,000</u> |
| 685-2000       | Interfund- Social Services         | <u>\$10,000</u> |

Total Revenue \$10,000

and be it further

RESOLVED, that the following appropriation and revenue budget amendments are hereby authorized for the Integrated County Planning Initiative, Department 200, Fund 120 for the period January 1, 1999 to December 31, 1999:

| Account  | Description                        | Amount          |
|----------|------------------------------------|-----------------|
| 880-1109 | Interfund- County Executive Grants | <u>\$10,000</u> |
|          | Total Expenditures                 | <u>\$10,000</u> |
| 596      | State Aid - Social Services Admin  | <u>\$10,000</u> |
|          | Total Revenue                      | <u>\$10,000</u> |

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Director of Budget and Management the Erie County Community Coordinating Council on Children and Families, and Commissioners of the Department of Health, Department of Mental Health, Department of Probation, Department of Social Services and Department of Youth Services.

(5-0)

11. Item Page - 1999 (Comm.4E-16)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services (DSS) has been informed that increased funding is available to supplement activities related to the Family Court Foster Care Improvement Project grant for 1998-99, and

WHEREAS, this funding has been awarded for a special overtime project to conduct activities to expedite adoptions, and

WHEREAS, DSS and the Erie County Family Court have jointly been designated as one of two pilot project sites in New York State to conduct the DSS/Family Court Foster Care Improvement Project, and

WHEREAS, this model program is one of the first of its kind in the nation designed to improve outcomes for children through collaboration and problem solving among the levels of government that have the joint responsibility for these outcomes, and

WHEREAS, there is no local share fiscal impact as the grant award and Federal, State and local funds included in the 1998 Adopted Budget are available to support the grant activities.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and/or Commissioner of Social Services are hereby authorized to accept \$39,770 of 100 percent Federal funds for a special overtime project to expedite adoptions through the Family Court Foster Care Improvement Project grant, Fund 280, Department 200 for the period September 30, 1998 to September 29, 1999, and be it further

RESOLVED, that the following appropriation and revenue budget amendments are hereby authorized for the Family Court Foster Care Improvement Project grant, Department 200, Fund 280 for the period September 30, 1998 to September 29, 1999:

| Account | Description        | Amount          |
|---------|--------------------|-----------------|
| 801     | Overtime           | <u>\$39,770</u> |
|         | Total Expenditures | <u>\$39,770</u> |
| 649     | Federal Aid        | <u>\$39,770</u> |
|         | Total Revenues     | <u>\$39,770</u> |

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of the Department of Social Services and the Director of Budget and Management.  
(5-0)

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

**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services has received a grant award of \$137,586 to provide counseling services and treatment to clients who have problems with substance abuse as well as the incidence of domestic violence, and

WHEREAS, the combination of these occurrences is not uncommon in the community, and the Department has applied for and received special funding to address this specific client population, and

WHEREAS, counseling services will be provided by Department casework staff to be added by this resolution, and

WHEREAS, support services in the form of Respite Child Care will be provided through a contract with Parents Anonymous, and

WHEREAS, a treatment group for both parents and children will be provided through a contract with Child and Family Services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and/or Commissioner of Social Services are hereby authorized to accept grant funds in the amount of \$137,586 for the Enhanced Drug and Alcohol Services to Victims of Domestic Violence Project for the period March 1, 1999 through February 28, 2000, and be it furdw

RESOLVED, that the creation of three (3) Caseworker positions is hereby authorized effective March 1, 1999, and be it further

RESOLVED, that the execution of contracts with Parents Anonymous for Respite Child Care Services and with Child and Family Services for parent and child group services are hereby authorized pursuant to the project budget, and be It further

RESOLVED, that because these special services are needed immediately, the County code requirement in Section 19.08 for a Request For Proposals (RFP) is hereby waived, and be it further

RESOLVED, that the following budget is hereby authorized for the Enhanced Drug and Alcohol Services to Victims of Domestic Violence Project for the period March 1, 1999 through February 28, 2000:

Department of Social Services, Department 200, Fund 281

| <u>ACCOUNT</u> | <u>DESCRIPTION</u>                 | <u>INCREASE</u>  |
|----------------|------------------------------------|------------------|
| 800            | Personal Services                  | \$78,363         |
| 805            | Fringe Benefits                    | 22,734           |
| 825            | Out Of Area Travel                 | 12,000           |
| 830-xxx        | Parent Anonymous                   | 12,244           |
| 830-xxx        | Child and Family Services          | <u>12,245</u>    |
|                | Total Expenditures                 | <u>\$137,586</u> |
| 649            | Federal Aid- Social Services Admin | <u>\$137,586</u> |
|                | Total Revenues                     | <u>\$137,586</u> |

(B-100's to be provided under separate cover)

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of the Department of Social Services and the Director of Budget and Management

(5-0)

13. Item Page - 1999 (Comm.4E-19)

**COUNTY EXECUTIVE**

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, 1998 through March 31, 1999, and

WHEREAS, the Department of Senior Services desires to revise the above grant budgets to maximize use of State funds and to reflect the actual needs of the grants which service those elderly most at risk, and

WHEREAS, the Department is facing a Federal mandate to provide a minimum data set of information regarding client services which will require upgraded computer capacity in community-based case management contract agencies and the Department and

WHEREAS, there is an increased need for or adult day care services for or disabled older county residents, and

WHEREAS, no additional County funds are needed,

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the CSE grant, project 814, for the period April 1, 1998 through March 31, 1999 be amended as follows:

|                       |                                | <u>CURRENT</u><br><u>BUDGET</u> | <u>CHANGES</u>    | <u>AMENDED</u><br><u>BUDGET</u> |
|-----------------------|--------------------------------|---------------------------------|-------------------|---------------------------------|
| <b>REVENUES</b>       |                                |                                 |                   |                                 |
| <u>Account</u>        | <u>Description</u>             |                                 |                   |                                 |
| 686                   | Interfund Revenue              | \$226,625                       | <u>\$ -10,000</u> | \$216,625                       |
|                       | TOTAL CHANGE TO REVENUES       |                                 | <u>\$ -10,000</u> |                                 |
| <b>APPROPRIATIONS</b> |                                |                                 |                   |                                 |
| 800                   | Personal Services              | \$117,437                       | \$ -25,000        | \$ 92,437                       |
| 805                   | Fringe Benefits                | 29,970                          | +30,000           | 59,970                          |
| 830/229               | Neighborhood Info              | 54,500                          | - 4,200           | 50,300                          |
| 830/321               | South Buffalo                  | 38,370                          | - 1,000           | 37,370                          |
| 830/373               | BFNC                           | 54,099                          | + 2,000           | 56,099                          |
| 830/391               | Other Home Care Ag             | 78,272                          | -46,800           | 31,472                          |
| 830/397               | Community Concern              | 36,999                          | + 2,000           | 38,999                          |
| 933                   | Lab & Tech Equip               | 0                               | <u>+33,000</u>    | 33,000                          |
|                       | TOTAL CHANGE TO APPROPRIATIONS |                                 | <u>\$ -10,000</u> |                                 |

and be it further

RESOLVED, that the budget for the EISEP grant, project 815, for the period April 1, 1998 through March 31, 1999 be amended as follows:

|                                |                    | CURRENT<br>BUDGET | CHANGES    | AMENDED<br>BUDGET |
|--------------------------------|--------------------|-------------------|------------|-------------------|
| <b>REVENUES</b>                |                    |                   |            |                   |
| <b>Account</b>                 | <b>Description</b> |                   |            |                   |
| 468                            | Eisep Cost Share   | \$ 44,500         | \$ -20,000 | \$ 24,500         |
| 686                            | Interfund Rev      | 395,957           | +10,000    | 405,957           |
| TOTAL CHANGE TO REVENUES       |                    |                   | \$ -10,000 |                   |
| <b>APPROPRIATIONS</b>          |                    |                   |            |                   |
| 800                            | Personal Services  | \$371,549         | +\$ 2,400  | \$373,949         |
| 805                            | Fringe Benefits    | 95,217            | -11,625    | 83,592            |
| 810                            | Office Supplies    | 2,000             | + 1,000    | 3,000             |
| 824                            | Local Mileage      | 4,500             | + 225      | 4,725             |
| 830/309                        | Kensington Bailey  | 40,042            | - 1,500    | 38,542            |
| 830/362                        | Polish Comm Center | 29,588            | - 4,300    | 25,288            |
| 830/385                        | Other Projected Ag | 30,000            | + 7,000    | 37,000            |
| 830/391                        | Other Home Care    | 1,007,033         | -12,500    | 994,533           |
| 880/5100                       | Interfund-DISS     | 6,000             | + 9,300    | 15,300            |
| TOTAL CHANGE TO APPROPRIATIONS |                    |                   | \$ -10,000 |                   |

and be it further

RESOLVED, that the County Executive is authorized to amend the contracts with the Buffalo Federation of Neighborhood Centers (BFNC) and Community Concern Evans & Brant, Inc. for the period April 1, 1998 through March 31, 1999, and be it further

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

(5-0)

14. Item Page - 1999 (Comm.4E-22)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature has already appropriated funds for the New York State Retired Senior Volunteer Program (NYS-RSVP), for the period April 1, 1998, to March 31, 1999, and

WHEREAS, the Department of Senior Services desires to revise the above grant budget to reflect the actual needs of the program in order to maximize use of State and Federal funds,

**NOW, THEREFORE, BE IT**

RESOLVED, that the budget for the NYS-RSVP grant, project 895 for the period April 1, 1998, to March 31, 1999, be revised as follows:

APPROPRIATIONS

| <u>Account</u>                        | <u>Description</u> | <u>Current Budget</u> | <u>Changes</u> | <u>Revised Budget</u> |
|---------------------------------------|--------------------|-----------------------|----------------|-----------------------|
| 800                                   | Personal Services  | \$6,746               | \$-1,171       | \$5,575               |
| 805                                   | Fringe Benefits    | 808                   | - 98           | 710                   |
| 810                                   | Office Supplies    | 300                   | + 269          | 569                   |
| 826                                   | Other Expenses     | 1,000                 | +1,000         | 2,000                 |
| <u>TOTAL CHANGE TO APPROPRIATIONS</u> |                    |                       | <u>-0-</u>     |                       |

and be it further

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

(5-0)

**GEORGE A. HOLT, JR.**  
**CHAIR**

MR. HOLT moved the adoption. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY

RESOLUTION NO. 80

February 25, 1999

HEALTH/MENTAL HEALTH  
COMMITTEE  
REPORT NO. 3

ALL MEMBERS PRESENT WITH THE EXCEPTION OF LEGISLATOR PAULY. CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

1. Item Page - 1999 (Comm. 4E-10)  
COUNTY EXECUTIVE

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a revised contract with the New York State Health Department which authorizes the following budgetary adjustments:

**LEAD POISONING PREVENTION PROGRAM  
01/1/99 - 12/31/99  
PROJECT # 191**

| <u>SFG</u>                       | <u>SUB</u> | <u>REVENUE</u>         | <u>CURRENT<br/>BUDGET</u> | <u>CHANGES</u>     | <u>REVISED<br/>BUDGET</u> |
|----------------------------------|------------|------------------------|---------------------------|--------------------|---------------------------|
| 573                              |            | STATE AID              | \$ 552,084                | -                  | \$ 552,084                |
|                                  |            | <b>TOTAL</b>           | <b><u>\$ 552,084</u></b>  | <b><u>\$ -</u></b> | <b><u>\$ 552,084</u></b>  |
| <br><b><u>APPROPRIATIONS</u></b> |            |                        |                           |                    |                           |
| 800                              |            | PERSONNEL SERVICES     | \$ 406,538                | 4,383              | \$ 410,921                |
| 801                              |            | OVERTIME               | 1,500                     | -500               | 1,000                     |
| 805                              |            | FRINGE BENEFITS        | 106,080                   | -1,088             | 104,994                   |
| 811                              |            | CLOTHING               | 150                       | -150               | 0                         |
| 823                              |            | REPAIRS & MAINTENANCE  | 18,875                    | 0                  | 18,875                    |
| 824                              |            | TRAVEL & MILEAGE       | 13,000                    | 0                  | 13,000                    |
| 825                              |            | OUT OF AREA TRAVEL     | 1,000                     | 0                  | 1,000                     |
| 826                              |            | OTHER EXPENSES         | 3,841                     | -1,647             | 2,294                     |
| 933                              |            | LAB & TECHNICAL EQUIP. | <u>\$ 1,000</u>           | <u>-1,000</u>      | <u>\$ -</u>               |
|                                  |            | <b>TOTAL</b>           | <b><u>\$ 552,084</u></b>  | <b><u>\$ -</u></b> | <b><u>\$ 552,084</u></b>  |

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Division of Budget Management and Finance and the Department of Law.  
(4-0) Legislator Pauly absent. Chairman Swanick present as ex-officio member.

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

WHEREAS, the HIV/STD Support Services Grant funds a Public Health Nurse who provides HIV testing and reimburses the STD Clinic for participation in a Chlamydia Study, and

WHEREAS, the Erie County Health Department has received a continuing grant award in the amount of \$43,300 from the New York State Department of Health for the period 4/1/99 -3/31/00.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the New York State Department of Health for the purpose of receiving reimbursement for the HIV/STD Support Services Program and the Erie County Legislature hereby approves the revisions to the budget as follows:

HIV/STD SUPPORT SERVICES  
4/1/99 - 03/31/00  
PROJECT # 192

| SFG                   | REVENUE            | CURRENT BUDGET          | CHANGES               | REVISED BUDGET          |
|-----------------------|--------------------|-------------------------|-----------------------|-------------------------|
| 553                   | STATE AID          | \$ 60,375               | -17,075               | \$ 43,300               |
| 388                   | LOCAL SOURCE       | <u>1,394</u>            | <u>6,788</u>          | <u>8,172</u>            |
|                       | <b>TOTAL</b>       | <b><u>\$ 61,759</u></b> | <b><u>-10,287</u></b> | <b><u>\$ 51,472</u></b> |
| <b>APPROPRIATIONS</b> |                    |                         |                       |                         |
| 800                   | PERS. SERVICES     | \$ 41,122               | 0                     | \$ 41,122               |
| 805                   | FRINGE BENEFITS    | 10,507                  | -2,507                | 8,000                   |
| 814                   | MEDICAL SUPPLIES   | 7,000                   | -7,000                | 0                       |
| 824                   | LOCAL TRAVEL       | 600                     | -600                  | 0                       |
| 825                   | TRAVEL-CONFERENCE  | 1,000                   | 320                   | 1,320                   |
| 826                   | OTHER EXPENSES     | 500                     | -500                  | 0                       |
| 890                   | CONTRACTUAL SALARY | <u>1,030</u>            | <u>0</u>              | <u>1,030</u>            |
|                       | <b>TOTAL</b>       | <b><u>\$ 61,759</u></b> | <b><u>-10,287</u></b> | <b><u>\$ 51,472</u></b> |

and be it further .

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

(4-0) Legislator Pauly absent. Chairman Swanick present as ex-officio member

3. Item Page - 1999 (Comm. 4E-23)  
COUNTY EXECUTIVE

WHEREAS, there is a need to provide rodent control and neighborhood baiting services for the County,  
and

WHEREAS, there is a need to appropriately schedule and monitor such services, and

WHEREAS, there is a current staff member who is qualified to provide such services, and

WHEREAS, there is a need to appropriately compensate the staff providing such  
services.

NOW, THEREFORE, BE IT

RESOLVED, that a position of Senior Rodent Control Worker, Job Group 5, is hereby added, and be it  
further

RESOLVED, that a position of Rodent Control Worker, Job Group 4, is hereby deleted, and be it further

RESOLVED, that the source of funding shall be available balances in the personal services appropriations of the Department of Health, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Commissioner of Health, the Commissioner of Personnel and the Director of Budget and Management.

(4-0) Legislator Pauly absent. Chairman Swanick present as ex-officio member

**JUDITH P. FISHER  
CHAIR**

MRS. FISHER moved the adoption. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY

**LEGISLATORS RESOLUTIONS**

Item 19 – MS. CHASE presented the following resolution and requested that it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro 5-1 from LEGISLATORS CHASE, RANZENHOFER, GREENAN, LARSON, WEINSTEIN & MARSHALL. Re: Support to Strengthen the Qualification Procedures for School Bus Attendants Requiring Mandatory Fingerprinting and a Criminal History Check.

Item 20 – MS. CHASE presented the following resolution and requested that it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro 5-2 from LEGISLATORS CHASE, RANZENHOFER, GREENAN, LARSON, & MARSHALL. Re: Support for Requiring Information on Disabled Children to be Kept on School Buses.

Item 21 - MS. CHASE presented the following resolution and requested that it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro 5-3 from LEGISLATORS CHASE, RANZENHOFER, GREENAN, LARSON, WEINSTEIN & MARSHALL. Re: Support for not Allowing Unauthorized Individuals on a School Bus.

Item 22 - MS. CHASE presented the following resolution and requested that it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro 5-4 from LEGISLATORS CHASE, RANZENHOFER, GREENAN, LARSON, & MARSHALL.  
Re: Support for the Prevention of Individuals Whose Licenses have been Revoked or Suspended Due to DWI from Operating Busses or School Buses.

Item 23 - MS. CHASE presented the following resolution and requested that it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro 5-5 from LEGISLATORS CHASE, RANZENHOFER, GREENAN, LARSON, WEINSTEIN & MARSHALL. Re: Support for a Mandatory and Permanent Revocation of Bus Driver's License upon Conviction of Drugs or Alcohol.

Item 24 - MR. PAULY presented the following resolution and requested that it be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro 5-6 from LEG. PAULY Re: In Support of Eliminating Discriminatory Rules Effecting Fan Ownership of Sports Teams.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 81

Re: Support for Extending Deadline for Filing STAR Applications. (Int. 5-7)

WHEREAS, last year New York State introduced the School Tax Relief Exemption program (STAR) which provided tax breaks to homeowners age 65 and older with an annual income of \$60,000 or less, and

WHEREAS, this year the STAR program has been expanded, anyone who owns and lives in one, two or three-family houses, condominiums and mobile homes can qualify for STAR, regardless of their age or income, and

WHEREAS, STAR tax relief is not automatic, property tax breaks will be granted only to those homeowners who apply, and

WHEREAS, the filing deadline was February 8<sup>th</sup> in Buffalo and March 1<sup>st</sup> in Lackawanna, the City of Tonawanda, and in Niagara, Allegany, Cattaraugus, Chautauqua, Genesee, Orleans and Wyoming counties. June 1<sup>st</sup> is the deadline in Erie County towns and also in Batavia and Lockport. Dunkirk has a deadline of May 1<sup>st</sup>, and

WHEREAS, only 16,500 Buffalo residents, approximately one-third of potentially eligible property owners applied for STAR by the February 8<sup>th</sup> deadline, and

WHEREAS, in Jamestown, about half of the homeowners have applied, and only two-thirds of potentially eligible homeowners in Lackawanna have applied, and

WHEREAS, STAR is a new program, many people are confused about its guidelines, some people still believe that STAR benefits only seniors with incomes below \$60,000, and

WHEREAS, Assembly Speaker Sheldon Silver, has proposed legislation that would extend the filing deadline to April 15<sup>th</sup> for cities with the earlier deadline,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby support extending the filing deadline for STAR applicants in cities with the earlier deadline, thereby allowing homeowners extra time to become familiar with this new program and the application process involved in accessing STAR tax benefits, and be it further

RESOLVED, that this Honorable Body further calls upon State Legislators to adopt STAR deadline extension legislation and Governor George E. Pataki to sign said legislation into law, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Western New York Delegation of State Representatives and Governor George E. Pataki.

**Fiscal Impact:** To be determined.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 26 - MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. OLMA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 82

Re: Objection to Omission of Buffalo as Site for Interantional  
Joint Comm Hearings on Water Transfer from Great lakes  
PAULY, WEINSTEIN, LARSON (Int. 5-8)

WHEREAS, a number of proposals have been recently submitted to the governments of the United States and Canada asking for permission to export water from the Great Lakes to other parts of the world, and

WHEREAS, diverting water from the Great Lakes is an issue that is certain to loom larger as we embark upon the early years of the 21<sup>st</sup> Century, as currently underdeveloped nations seek to improve conditions within their countries, and

WHEREAS, under provisions in the North American Free Trade Agreement, in which water is an unprotected commodity, exporting water from the Great Lakes may set a precedent which could prevent the United States and Canada from imposing restrictions on water shipments, and

WHEREAS, the International Joint Commission has been commissioned by the United States and Canada to study the possible impact of water transfers from the Great Lakes and will conduct eight hearings on the matter in order to submit an interim report within six months, and

WHEREAS, Buffalo was omitted from the list of sites for said hearings, and

WHEREAS, fresh water from the Great Lakes supports hundreds of thousands of people in Erie County who rely on it for manufacturing, commerce, recreation, and sustenance, and to lose any amount of this natural resource could lead to instabilities in the local economy, and

WHEREAS, Buffalo is New York State's largest city on the Great Lakes and the largest city in upstate New York, and it has long been considered a key city in the development of trade, commerce, and safety on the Lakes, and

WHEREAS, the Great Lakes' largest international environmental group, Great Lakes United, Inc., is headquartered in Buffalo, and

WHEREAS, within the past year, Buffalo has hosted a number of major conferences on the Great Lakes, including the semiannual meeting of the Great Lakes Commission and the Lake Erie Binational Forum, and

WHEREAS, Buffalo is the home to a new center for Great Lakes Environmental Education, which opened in October 1998, and

WHEREAS, Buffalo, the "Queen City of the Great Lakes", is the physical and historical gateway to the Great Lakes and cities to the west,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby go on record as objecting to the City of Buffalo not being chosen as a site for the International Joint Commission's hearings on the transfer of water from the Great Lakes to other parts of the world, and be it further

RESOLVED, that this Honorable Body calls upon local representatives in the state and federal government to propose and support the inclusion of Buffalo as a site for said hearings so that residents of Buffalo and Erie County have an opportunity to be heard on this matter, and be it further

RESOLVED, that certified copies of this resolution be forwarded to United States Senators Charles E. Schumer and Daniel Patrick Moynihan, the Western New York delegation to the House of Representatives, the Western New York delegation of State Representatives, Governor George E. Pataki, the International Joint Commission (1250 23<sup>rd</sup> Street NW #100, Washington, D.C. 20440), and Great Lakes United, Inc. (1300 Elmwood Avenue, Buffalo, New York 14222).

**Fiscal Impact:** None for this resolution.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 27 - MS. PEOPLES presented the following and moved for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 83

RE: Budgetary Adjustment - Legislature (Int. 5-9)

WHEREAS, the Erie County Legislature has determined that personnel adjustments within its budget are necessary, and

WHEREAS, in order to effectuate these adjustments, a resolution must be adopted,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the deletion of an existing position of EXEC ASST LEG, [position # 001030] Job Group 14, Step 5, effective April 27, 1999, and be it further

RESOLVED, that the Legislature does hereby approve the addition of one (1) new position of ADM LIAIS ASST LEG, Job Group 12, Step 0, [NEW position], effective March 1, 1999, and be it further

RESOLVED, that this personnel adjustment requires no additional county funding; in fact, it results in a savings of taxpayer dollars, and be it further

RESOLVED, that the Clerk of the Legislature, the Department of Personnel and the Division of Budget, Management & Finance are hereby authorized to complete all necessary paperwork to effectuate these personnel changes, and be it further

RESOLVED, that certified copies of this resolution be forwarded to County Executive Dennis T. Gorski, Personnel Commissioner Leonard R. Lenihan, and Budget Director Kenneth C. Kruly.

FISCAL IMPACT: None.

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

CARRIED UNANIMOUSLY.

Item 28 - MS. PEOPLES presented the following and moved for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 84

RE: Support for Cultural Program in Cheektowaga (Int. 5-10)

WHEREAS, the Legislature set aside funds in the 1999 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$5,500 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 920, Department 300 Agency Payments & Grants - Cultural, (DAC: 110920300830), for paying the following agency:

| AGENCY                 | BUDGETED<br>AMOUNT |         | +/- | NEW<br>AMOUNT |
|------------------------|--------------------|---------|-----|---------------|
| Chopin Singing Society | \$5,000            | \$5,500 |     | \$10,500      |
| TOTAL                  |                    |         |     | \$5,500       |

and be it further

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

RESOLVED, that the Clerk of the Legislature and the Director of the Division of Budget, Management & Finance, are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, 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, Jackie Mullen – Administrative Assistant Department of Budget, Management and Finance, Patricia Dunne – Administrative Assistant Erie County Legislature, and three (3) copies to First Assistant County

Attorney Alan Gerstman and one (1) copy to Judge Ann Mikoll, Chopin Singing Society (2155 Old Union Road, Buffalo, NY 14227).

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

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

CARRIED UNANIMOUSLY.

Item 29 - MS. MARIENLLI presented the following and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 85 RE: Funding for Community Safety Initiative (Int. 5-11)

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 \$15,300 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

| <u>NAME</u>              | <u>LINE</u> | <u>AMOUNT</u>    |
|--------------------------|-------------|------------------|
| Ellwood Fire District #1 | n/a         | \$ 15,300        |
| <b>TOTAL</b>             |             | <b>\$ 15,300</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, Jackie Mullen – Administrative Assistant Department of Budget, Management and Finance, Patricia Dunne – Administrative Assistant Erie County Legislature, and three (3) copies to First Assistant County Attorney Alan Gerstman and one (1) copy to Robert C. Blount, Commissioner – Ellwood Fire District #1 (1000 Englewood Avenue, Tonawanda, NY 14223).

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

MS. MARINELLI moved to amend the resolution to add Mr. Swanick as co-sponsor. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 30 - MS. MARIENLLI presented the following and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 86 RE: Support for Community Recreational Initiatives (Int. 5-12)

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 \$15,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

| <u>NAME</u>         | <u>LINE</u> | <u>AMOUNT</u>   |
|---------------------|-------------|-----------------|
| Ken-Ton Family YMCA | n/a         | \$15,000        |
| <b>TOTAL</b>        |             | <b>\$15,000</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 certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, Jackie Mullen – Administrative Assistant Department of Budget, Management and Finance, Patricia Dunne – Administrative Assistant Erie County Legislature, and three (3) copies to First Assistant County Attorney Alan Gerstman and one (1) copy to John Murray – Ken-Ton YMCA President (535 Belmont Avenue, Kenmore, NY 14223).

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

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

CARRIED UNANIMOUSLY.

Item 31 - MRS. FISHER presented the following and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 87

RE: Support for Environmental and Senior Citizen Initiatives (Int. 5-13)

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 \$6,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

| <u>NAME</u>              | <u>LINE</u> | <u>AMOUNT</u>  |
|--------------------------|-------------|----------------|
| Buffalo Green Fund, Inc. | 830/0619    | \$6,000        |
| <b>TOTAL</b>             |             | <b>\$6,000</b> |

and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$8,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 939, Department 630 Senior Services – Administration (DAC: 110939630830220) for paying the following agency:

**MEETING NO. 5**

**March 4, 1999**

**ERIE COUNTY LEGISLATURE**

| <u>NAME</u>                    | <u>LINE</u> | <u>BUDGET<br/>AMOUNT</u> | <u>+/-</u> | <u>NEW<br/>AMOUNT</u> |
|--------------------------------|-------------|--------------------------|------------|-----------------------|
| Hispanics United<br>Of Buffalo | 830/0220    | \$5,000                  | \$8,000    | \$13,000              |

And be it further

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

RESOLVED, that the Clerk of the Legislature, the Director of the Division of Budget, Management & Finance, and the Commissioner of Senior Services – Paul E. Fitzpatrick, 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 sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, Jackie Mullen – Administrative Assistant Department of Budget, Management and Finance, Patricia Dunne – Administrative Assistant Erie County Legislature, and three (3) copies to First Assistant County Attorney Alan Gerstman and one (1) copy each to Bette Blum (11 Mayfair Lane, Buffalo, NY 14201) and Hispanics United of Buffalo, 254 Virginia Street, Buffalo, NY 14201.

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

MRS. FISHER moved the adoption of the resolution. MR. HOLT seconded

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 88

RE: Support for Amd Sec 205 of NYS Vehicle & Traffic law to Provide Full State Reimbursement to county Clerks Acting as Agent of Commissioner of DMV. (Int. 5-14)

WHEREAS, Section 205 of the NYS Vehicle and Traffic Law mandates that the clerk of each county, except the counties of Rockland, Albany, Westchester, Suffolk, Nassau, Onondaga, Bronx, Kings, Queens, Richmond and New York, shall act as the agent of the commissioner in the registration of motor vehicles, and

WHEREAS, this law further states that all of the expenses of the County Clerks, who are mandated to perform these services, are a charge against their respective counties, and

WHEREAS, in return the county clerk receives 9.3% of the gross receipts from the State, an insufficient amount to cover the actual cost of operations, and

WHEREAS, part of this revenue is then used to subsidize the State's delivery of service in the eleven counties that are not mandated to furnish such services, and

WHEREAS, this system places an unfair burden on the taxpayers of counties who provide this service while the taxpayers in the eleven exempt counties reap a benefit by not having to subsidize motor vehicle transactions in their county, and

WHEREAS, the counties collect tens of millions of dollars in revenue for New York State yet they do not receive full reimbursement for their services while acting as an agent of the Commissioner of Motor Vehicles,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby support amendment of Section 205 of the Vehicle and Traffic law to eliminate the unfunded State mandate placed upon fifty-one counties in New York State and grant full reimbursement to any county clerk for all costs incurred while acting as an agent of the Commissioner of Motor Vehicles, and be it further

RESOLVED, that this Honorable Body further calls upon Governor George E. Pataki and members of the New York State Senate and Assembly to approve such legislation thereby equalizing the cost to the taxpayers in all counties, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor George E. Pataki, Assembly Speaker Sheldon Silver, Senate Majority leader Joseph Bruno, the Western New York Delegation to the State Legislature, and Erie County Clerk David J. Swarts.

**Fiscal Impact:** To be determined.

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

CARRIED UNANIMOUSLY.

Item 33 - MR. OLMA presented the following and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 89

RE: Funding for a Senior Citizen Crime Prevention Project (Int. 5-15)

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 \$10,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

| <u>NAME</u>             | <u>LINE</u> | <u>AMOUNT</u>   |
|-------------------------|-------------|-----------------|
| Polish Community Center | 830/0362    | \$10,000        |
| <b>TOTAL</b>            |             | <b>\$10,000</b> |

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, Jackie Mullen - Administrative Assistant Department of Budget, Management and Finance, Patricia Dunne - Administrative Assistant Erie County Legislature, three (3) copies to First Assistant County Attorney Alan Gerstman and one (1) copy to Annette Junczewicz, Executive Director, Polish Community Center, (1081 Broadway, Buffalo, NY 14212.)

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

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

CARRIED UNANIMOUSLY.

Item 34 - MS. PEOPLES presented the following and requested that it be referred to the HEALTH COMMITTEE.

GRANTED.

Intro 5-16 From LEGISLATORS SWANICK, FISHER, KUWIK, HOLT, OLMA & DEBENEDETTI  
Re: Support for "Kendra's Law"

Item 35 - MR. DEBENEDETTI presented the following and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 90 RE: Transfer of Funds (Int. 5-17)

WHEREAS, in the 1999 Erie County budget process the Legislature designated \$54,500 to the Department of Senior Services - Community Services for the Elderly Program Grant - Other Projected Agencies, and

WHEREAS, said funds should be transferred to the Department of Senior Service - Community Services for the Elderly Program Grant - Polish Community Center for the purpose of subcontracting with Neighborhood Information Center to provide services under the offices of the East Cluster, and

WHEREAS, a resolution is necessary to effectuate such a transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$54,500 from Senior Services Community Services For the Elderly Program - Grant -Other Projected Agencies (DAC: 2811586308300385) to Fund 281, Project 158, Department 630 Senior Services Community Services for the Elderly Program - Grant (DAC: 281158630830), for paying the following agency for the purpose of subcontracting with Neighborhood Information Center:

| <u>NAME</u>             | <u>LINE</u> | <u>AMOUNT</u>   |
|-------------------------|-------------|-----------------|
| Polish Community Center | 830/0362    | \$54,500        |
| <b>TOTAL</b>            |             | <b>\$54,500</b> |

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 Social Services are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

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

RESOLVED, that certified copies of this resolution be forwarded to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, Jackie Mullen - Administrative Assistant Department of Budget, Management and Finance, Annette Juncewicz, Executive Director, Polish Community Center, (1081 Broadway, Buffalo, NY 14212) Stanley Wrobel, Executive Director, Neighborhood

Information Center (1170 Broadway, Buffalo, NY 14212) and three (3) copies to First Assistant County Attorney Alan Gerstman.

**Fiscal Impact:** Transfer of 1999 appropriated funds.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 91

Re: Opposition to the Proposal to Centralize Processing for new York State DMV in Albany. (Int. 5-18)

WHEREAS, the 1999-2000 State budget as proposed by Governor Pataki calls for the centralization of drivers' licenses and vehicle registration processing in Albany, and

WHEREAS, currently this procedure is handled by County Auto Bureau Branches which are closer to the public and have proven to be more sensitive to responding quickly to the needs of motorists, and

WHEREAS, a processing centralization proposal was also included in the Governor's 1997-1998 budget; however county clerks and both houses of the State Legislature objected and the proposal was deleted from the adopted budget, and

WHEREAS, approval of this proposal would lengthen the time it takes to receive renewals from the State resulting in a reduction in the quality of service delivered to the motorist, and

WHEREAS, furthermore this proposal would lead to the loss of 350,000 transactions annually and a loss of nearly one million dollars in revenue to the Erie County Auto Bureau, and

WHEREAS, revenue reduction of this amount would force Erie County to shut down at least one office, reduce extended hours available to customers and lay off 30% of the County's Auto Bureau staff, otherwise the

County would have to substantially increase funding to the Auto Bureau thereby burdening County taxpayers, and

WHEREAS, in 1998 the State retained over 30 million dollars in revenues collected by the Erie County Auto Bureau,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby oppose centralization of Auto Bureau Processing in Albany which would negatively affect service delivery to customers, create job cuts for Auto Bureau Employees and result in a loss of revenue to Erie County, and be it further

RESOLVED, that this Honorable Body calls upon State Legislators to delete the proposal to centralize Auto Bureau Processing from the 1999-2000 budget, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor George E. Pataki, Assembly Speaker Sheldon Silver, Senate Majority leader Joseph Bruno, the Western New York Delegation to the State Legislature, and Erie County Clerk David J. Swarts.

**Fiscal Impact:** To be determined.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 37 - MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. OLMA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 92

Re: Support for NYS Association of Public Community College Presidents and Association of Board of Trustees of Community Colleges of SUNY Agenda (Int. 5-19)

WHEREAS, Erie Community College is a vital asset to our region, offering students a low cost quality education, and

WHEREAS, in an area that offers a variety of higher education institutions and abundant choices in course programming it is imperative that ECC remains a competitive force in education and workforce development, and

WHEREAS, the New York State Association of Public Community College Presidents (APPCC) and the Association of Boards of Trustees of Community Colleges of SUNY (ABC) have submitted a joint 1999 Legislative Agenda, and

WHEREAS, Erie Community College Board of Trustees has declared its support for ABC/APPCC's 1999 Legislative Agenda,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby support the 1999 Legislative Agenda submitted by the New York State Association of Public Community College Presidents (APPC) and the Association of Boards of Trustees of Community Colleges of SUNY (ABC), and be it further

RESOLVED, that this Honorable Body further calls upon the New York State Assembly and Senate to support ABC/APPCC's 1999 Legislative Agenda and Governor George E. Pataki to include said legislative package in his Executive Budget and legislative priorities, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor George E. Pataki, the Western New York Delegation of State Representatives, ECC Interim President William Mariani, and Marybeth Cullinan, Chairman of ECC's Board of Trustees.

**Fiscal Impact:** Positive for Erie Community College.

MS. MARINELLI moved to amend the resolution to include et al sponsorship. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

MS. MARIENLLI moved the adoption of the resolution as amended. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 38 - MRS. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 4 E-20. MS. PEOPLES seconded.

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 been awarded \$894,420 over five years by the United States Department of Housing and Urban Development to provide rental assistance and supportive services for homeless persons disabled by serious mental illness under the McKinney Homeless Shelter Plus Care Program, and

WHEREAS, no County funds will be required for Erie County to accept these Federal funds to serve homeless persons disabled by serious mental illness.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to contract with the United States Department of Housing and Urban Development in the amount of \$894,420 over a five year period to provide rental assistance for homeless persons disabled by serious mental illness, and be it further

RESOLVED, that the following grant project and budget is hereby established in the Erie County Department of Mental Health to provide rental assistance and supportive services for homeless persons disabled by serious mental illness for the period January 1, 1999 through December 31, 1999, which represents year one of the five year period:

**Department of Mental Health Grant Funds  
Project Title: Mental Health Homeless Shelter Plus Care III Program**

| <u>ACCOUNT</u> | <u>DESCRIPTION</u>                  | <u>INCREASE</u> |
|----------------|-------------------------------------|-----------------|
| 830            | Contract Agencies & Service Charges | 186,000         |

640 Federal Aid 186,000

and be it further

RESOLVED, that the Erie County Department of Mental Health is hereby authorized to recommend the transfer of funds in order to execute contracts with specific provider agencies on the basis of proposals received in response to a Request for Proposals (RFP) pursuant to the requirements of Section 19.08 of the Erie County Administrative Code. Such recommendations to transfer funds and to execute specific contracts shall be submitted for Legislative approval, and be it further

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

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

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 been awarded \$894,420 over five years by the United States Department of Housing and Urban Development to provide rental assistance and supportive services for homeless persons disabled by serious mental illness under the McKinney Homeless Shelter Plus Care Program, and

WHEREAS, no County funds will be required for Erie County to accept these Federal funds to serve homeless persons disabled by serious mental illness.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to contract with the United States Department of Housing and Urban Development in the amount of \$894,420 over a five year period to provide rental assistance for homeless persons disabled by serious mental illness, and be it further

RESOLVED, that the following grant project and budget is hereby established in the Erie County Department of Mental Health to provide rental assistance and supportive services for homeless persons disabled by serious mental illness for the period January 1, 1999 through December 31, 1999, which represents year one of the five year period:

**Department of Mental Health Grant Funds  
Project Title: Mental Health Homeless Shelter Plus Care III Program**

| <u>ACCOUNT</u> | <u>DESCRIPTION</u>                  | <u>INCREASE</u> |
|----------------|-------------------------------------|-----------------|
| 830            | Contract Agencies & Service Charges | 186,000         |

640

Federal Aid

186,000

and be it further

RESOLVED, that the Erie County Department of Mental Health is hereby authorized to recommend the transfer of funds in order to execute contracts with specific provider agencies on the basis of proposals received in response to a Request for Proposals (RFP) pursuant to the requirements of Section 19.08 of the Erie County Administrative Code. Such recommendations to transfer funds and to execute specific contracts shall be submitted for Legislative approval, and be it further

RESOLVED, that contracts for the Mental Health Homeless Shelter Plus Care III Program shall include a provision setting standards for housing to ensure for safe, appropriate placement of mental health clients serviced by this program, as well as ensuring for the safety of the public-at-large as well; that the standards set forth shall be reviewed by the Erie County Legislature for its approval; that following the receipt of, and prior to the distribution of funds to Housing Providers, that approval of the Erie County Legislature is required; and that the locating of apartments shall be in full compliance with HUD regulations, the Americans With Disabilities Act, and appropriate placement considerations with regard to accounts of problem apartment buildings and properties, and be it further

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

CARRIED UNANIMOUSLY.

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

Item 39 – MR. MARSHALL moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Intro 16-1. MR. LARSON seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: CHASE, GREENAN, LARSON, MARSHALL, PAULY, RANZENHOFER, WEINSTEIN.  
NOES: DEBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES, SWANICK. AYES - 7 NOES - 9.

MOTION FAILED.

CHAIRMAN SWANICK directed that Intro 16 – 1 remain in the ENERGY & ENVIRONMENT COMMITTEE.

**SUSPENSION OF THE RULES**

Item 40 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda. MS. MARINELLI seconded

GRANTED.

Comm. 5E-36 From: Leg. PEOPLES Re: Annual Report of Erie County Administrative Agencies for 1998.

Chairman SWANICK directed that Comm. 5E-36 be referred to the GOVERNMENT AFFAIRS COMMITTEE.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM THE COUNTY EXECUTIVE**

Item 41 - (Comm. 5E-1) Current Projection for Impact of New York State Budget on Erie County Finances.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM LEGS. SWANICK, PEOPLES, PAULY & DEBENEDETTI**

Item 42 – (Comm. 5E-2) Copy of Letter to Niagara County Legislature Chairman Meal Re: Relocation of Buffalo Zoo to Niagara County.

Item 43 – (Comm. 5E-3) Copy of Letter to Buffalo Zoological Gardens Chairwoman Gioia Re: Relocation of Buffalo Zoo to Niagara County.

The above two items were received and referred to the COMMUNITY ENRICHMENT COMMITTEE

**FROM LEGISLATOR MARSHALL**

Item 44 – (Comm. 5E-4) Copy of Letter to County Executive Re: Hiring of County Employees.

Received and filed.

**FROM CHAIRMAN SWANICK**

Item 45 – (Comm. 5E-5) Copy of Letter to Senator Schumer Re: Public Hearings to Discuss Effects of Shipping Great Lakes Water.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM THE COMPTROLLER**

Item 46 – (Comm. 5E-6) Tobacco Settlement Financing Plan.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 47 – (Comm. 5E-7) Position Change Report PP#5.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMPTROLLER

Item 48 – (Comm. 5E-8) Home Rule Requests – State Authorization to Arrange for Underwriting & Private sale of Bonds or Notes Thru Negotiated Agreement.

Item 49 – (Comm. 5E-9) Bond Resolution - \$9,152,000 Various Capital Projects Included in 1999 Capital Budget.

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

FROM LEGISLATOR MARINELLI

Item 50 – (Comm 5E-10) ECC Workforce Development Report.

Item 51 – (Comm. 5E-11) ECC 1999-2000 Budget Advocacy Agenda.

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

FROM THE COUNTY EXECUTIVE

Item 52 - MS. PEOPLES presented the following and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 94

Re: Appropriation to Pan American 2001, Inc. (Comm. 5E-12)

WHEREAS, our community in 1901 was host to the Pan American Exposition, a celebration of the future and its promise; and

WHEREAS, it is appropriate for this area to plan for commemoration of the Exposition's centennial in 2001, looking back toward that event's history and looking forward to future progress that the Expo suggested; and

WHEREAS, Pan American 2001, Inc. has been organized by local residents as a means of this commemoration.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County government does hereby endorse the work of Pan American 2001, Inc., and does hereby appropriate the sum of \$50,000 in Department 301, Agency Payments, Public Benefit Agencies, to the Corporation to assist in planning for the coordination of activities relating to the commemoration of the centennial of the Pan American Exposition of 1901; the source of said funds being the appropriation of unanticipated revenues in the amount of \$50,000 available in Department 310, Countywide Accounts - Monitored by Budget, Account 301, Section 520 Exemption Removal, the annual budget for this account having been realized; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with Pan American 2001, Inc. for these purposes; and be it further

RESOLVED, That included in said agreement be the provision that Joseph Goodell of Pan American 2001, Inc. appear before the Erie County Legislature's Community Enrichment Committee at its meeting tentatively scheduled for April 8, 1999 to discuss progress on the study, as well as discuss what efforts are being made to integrate Pan American 2001, Inc. efforts with those of the Buffalo Historical Society's Pan American centennial plans funded by Erie County in its 1999 budget, and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Director of Budget and Management, the County Comptroller and to Joseph Goodell of Pan American 2001, Inc.

MS. PEOPLES moved to amend the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

ADD, following the second RESOLVE clause:

RESOLVED, That included in said agreement be the provision that Joseph Goodell of Pan American 2001, Inc. appear before the Erie County Legislature's Community Enrichment Committee at its meeting tentatively scheduled for April 8, 1999 to discuss progress on the study, as well as discuss what efforts are being made to integrate Pan American 2001, Inc. efforts with those of the Buffalo Historical Society's Pan American centennial plans funded by Erie County in its 1999 budget, and be it further

MR. MARSHALL moved to send item 5E-12 to committee. MS. CHASE seconded. CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: CHASE, LARSON, MARSHALL, PAULY, RANZENHOFER, WEINSTEIN. NOES: GREENAN, DEBENEDETTI, DUSZA, FISHER, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES, SWANICK. AYES - 6 NOES - 10

MOTION FAILED.

MS. PEOPLES moved the adoption of the resolution as amended. MR. HOLT seconded. MR. MARSHALL voted in the negative.

CARRIED.

Item 53 – MR. DEBENEDETTI presented the following and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 95

Re: \$6,000 IN County Funding for American Legion Niagara Frontier Post 1041, Inc. (Comm. 5E-13)

WHEREAS, American Legion Niagara Frontier Post 1041, Inc., is required to bring its restroom facilities into compliance with State handicapped laws.

NOW, THEREFORE, BE IT

RESOLVED, that funds in the amount of \$6,000 are hereby appropriated in Department 301, Agency Payments, Public Benefit Agencies to American Legion Niagara Frontier Post 1041, Inc., the source of funds being unanticipated revenues in the amount of \$6,000 available in Department 310 Countywide Accounts - Monitored by Budget, Account 301, Section 520 Exemption Removal, the annual budget for this account having been realized, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with American Legion Niagara Frontier Post 1041, Inc., for funding improvements to its restroom facilities, and be it further

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

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

CARRIED UNANIMOUSLY.

Item 54 - (Comm. 5E-14) \$25,000 County Appropriation for the Greater Buffalo Convention & Visitors Bureau.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 55 - MS. PEOPLES presented the following and moved for immediate consideration. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 96

Re: Sheriff – Personnel Adjustment. (Comm. 5E-15)

WHEREAS, the Erie County Sheriffs Office is requesting the creation of one Chief of Violence Prevention Education and Domestic Violence Programs, Job Group 14, on the Sheriffs Management Confidential Pay Scale, and

WHEREAS, funding for this position will be made available from the deletion of two vacant part time deputy Sheriff Reserve positions and from vacancy savings already generated within the department's budget.

NOW, THEREFORE, BE IT RESOLVED, that authorization is hereby provided to create one Chief of Violence Prevention Education and Domestic Violence Programs, Job Group 14, and to delete two vacant part time Deputy Sheriff Reserve positions, and be it further

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

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

CARRIED UNANIMOUSLY.

Item 56 - (Comm. 5E-16) Emergency Services – Fire Safety Division Accept Donation of Vinyl Siding.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 57 – (Comm. 5E-17) Transfer of Langston Hughes Center Appropriations .

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 58 – (Comm. 5E-18) Recycling Investment Program Grant – EC Construction & Demolition debris Recycling Project.

Item 59 – (Comm. 5E-19) ECSD No. 1 – Contract 19 (General) Visone Construction, Inc. – Contract Close-Out.

Item 60 – (Comm. 5E-20) SIRG 9 Grant – NYSDOH C-015741.

Item 61 – (Comm. 5E-21) ECSD No. 6 – Modification of Plans (1999) EC Sewer Agency Report.

Item 62 – (Comm. 5E-22) ECSD No. 4 Depew Pumping Station Contract EC-6D Change Order No. 4 CIR Electrical Construction.

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

Item 63 – (Comm. 5E-23) Senior Services – Authorization to Amend SSI Outreach & Elder Abuse Education Grant Budgets.

Item 64 – (Comm. 5E-24) Senior Services – Authorization to Amend EISEP & Home Delivered Grant Budgets.

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

Item 65 – (Comm. 5E-25) 1999 – 2001 Housing Counseling Contract.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 66 – (Comm. 5E-26) Health – HIV/AIDS Adolescent Peer Educators.

**MEETING NO. 5**

**March 4, 1999**

**ERIE COUNTY LEGISLATURE**

Item 67 – (Comm. 5E-27) Health – Training & Technical Assistance for Health Departments 12/1/98 – 11/30/99.

Item 68 – (Comm. 5E-28) Health – Part –Time Clinics Program.

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

Item 69 – (Comm 5E-29) Appointment to EC Youth Services Board.

Received, Filed & Printed.

February 22, 1999

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

Honorable Members:

Pursuant to the power vested in me by Section 11 -F-03 of Article XI of the Erie County Charter, I Dennis T. Gorski, Erie County Executive, am pleased to inform you that I am appointing the following person to the Erie County Youth Services Board to complete the unexpired term of a member that has resigned:

APPOINTMENTS:

TERM EXPIRES:

B. Ty Shaw  
113 Wilks Street  
Buffalo, New York 14215

12/31/2000

Very truly yours,

Dennis T. Gorski

enc.  
DTG-jan

c: L. Nathan Hare  
Commissioner - Erie County Dept. of Youth Services

Jeffrey A. Nixon - Deputy Commissioner

Item 70 – (Comm. 5E-30) Proposed Spaulding Lakes Extension to ECSD No. 5 Facilities Planning Report – URS Greiner Woodward Clyde Group Consultants.

Received and referred to ENERGY & ENVIRONMENT.

Item 71 - MS. PEOPLES presented the following and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 97

Re: Sheriff – Law Enforcement Education Partnership Grant.  
(Comm. 5E-31)

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services has approved the above referenced grant in the amount of \$60,000 to enable the Sheriffs Office to implement a Law Enforcement Education Partnership with Every Person Influences Children, Inc. (EPIC), the Boys & Girls Clubs of Buffalo, and the Boys & Girls Club of Holland, and

WHEREAS, the Office of the Sheriff, in conjunction with EPIC, the Boys & Girls Clubs of Buffalo, and the Boys & Girls Club of Holland, will be able to provide parenting workshops, risk and resiliency training dealing with substance abuse and tobacco prevention, conflict resolution and violence prevention skills.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the New York State Office of Alcoholism and Substance Abuse Services for a one year period in order to accept funds in the amount of \$60,000 for a Law Enforcement Education Partnership Grant, and be it further,

RESOLVED, that the County Executive is hereby authorized to enter into subcontracts with EPIC, the Boys & Girls Clubs of Buffalo, and the Boys & Girls Club of Holland, and be it further

RESOLVED, that the provisions of Article 19.08 of the Administrative Code requiring requests for proposal are hereby waived with respect to the aforementioned contract agencies, since these special services must be provided

immediately and since the contract agencies have been designated by the grantor, and be it further

RESOLVED, that authorization is hereby provided to establish funding for this grant as follows:

SHERIFF'S OFFICE GRANT FUND  
Law Enforcement Education Partnership Grant  
10/01/98 - 09/30/99

REVENUE

553 - State Aid Other \$60,000

TOTAL REVENUE \$60,000

APPROPRIATIONS

**MEETING NO. 5**

**March 4, 1999**

**ERIE COUNTY LEGISLATURE**

|                                   |               |
|-----------------------------------|---------------|
| Code 821 - Dues & Fees            | \$9,000       |
| Code 826 - Miscellaneous Expenses | 4,000         |
| Code 830 - Contractual Services   |               |
| EPIC                              | 10,000        |
| Boys & Girls Club of Buffalo      | 15,000        |
| Boys & Girls Club of Holland      | 15,000        |
| Code 933 - Technical Equipment    | 7,000         |
| <b>TOTAL APPROPRIATIONS</b>       | <b>60,000</b> |

and it be further

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

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

CARRIED UNANIMOUSLY.

Item 72 – (Comm. 5E-32) Ending Geneva B. Scruggs Tenancy at ECMC.

Item 73 – (Comm. 5E-33) Establishment of Debt Reserve.

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

Item 74 – (Comm. 5E-34) Appointment of EC Youth Services Board

Received, filed and printed.

February 3, 1999

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

Honorable Members:

Pursuant to the power vested in me by Section 11 -17-03 of Article XI of the Erie County Charter, I Dennis T. Gorski, Erie County Executive, am pleased to inform you that I am appointing the following person to the Erie County Youth Services Board to complete the unexpired term of a member that has resigned:

APPOINTMENTS:

TERM EXPIRES:

Stanley H. Cieslar  
1240 Delaware Avenue #204

12/31/2000

**MEETING NO. 5**  
**March 4, 1999**

**ERIE COUNTY LEGISLATURE**

Buffalo, New York 14209-1454

Very truly yours,

Dennis T. Gorski

enc.  
DTG-jan

c: L. Nathan Hare  
Commissioner - Erie County Dept. of Youth Services

Jeffry A. Nixon - Deputy Commissioner

Item 75 – (Comm. 5E-35) Contract Amendment – Rural Van Transportation Services Program.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY**

Item 76 – (Comm. 5D-1) Agenda & Minutes of Meeting Held.

Received and filed.

**FROM MENTAL HEALTH**

Item 77 – (Comm. 5D-2) HUD Grants.

Received and referred to the HEALTH COMMITTEE.

**FROM THE COUNTY ATTORNEY**

Item 78 – (Comm. 5D-3) Notice of County Executive's Approval of Local Law No. 1 – 1999 (Local Law Intro. No. 1 – 1999)

Received, filed and printed.

February 17, 1999

Ms. Laurie Manzella, Clerk  
Erie County Legislature  
25 Delaware Avenue, 7<sup>th</sup> Floor  
Buffalo, New York 14202

**MEETING NO. 5**

**March 4, 1999**

**ERIE COUNTY LEGISLATURE**

RE: **Erie County Local Law No. 1-1999**

Dear Ms. Manzella:

Enclosed herein is a copy of Erie County Local Law No. 1- 1999. Copies of same have been filed with Secretary of State, New York State comptroller and the County Clerk.

Please post for the information of anyone who may be interested in this Local Law and for your file.

Very truly yours,

KENNETH A. SCHOETZ  
Erie County Attorney

BY: Alan P. Gerstman  
I<sup>n</sup> Assistant County Attorney

APG/sl

Enc.

A Public Hearing was held on the foregoing Erie County Local Law Intro No. 1- 1999, on Wednesday, February 3, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 4<sup>th</sup> day of February, 1998.

DENNIS T. GORSKI  
County Executive of Erie County

**FROM THE REAL PROPERTY DIVISION**

Item 79 – (Comm. 5D-4) Memo to Legislator Peoples Re: Proposal to Move Taxable Status Date in Erie County.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY**

Item 80 – (Comm. 5D-5) Library's Work Plan for 1999.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**FROM THE COUNTY ATTORNEY**

Item 81 – (Comm. 5D-6) Notices of Claim.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE COMMISSION ON THE STATUS OF WOMEN**

Item 82 – (Comm. 5D-7) Minutes of Meeting.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**FROM ECC**

Item 83 – (Comm. 5D-8) Agenda & Minutes of Meeting Held.

Received and filed.

**FROM ECMC**

Item 84 – (Comm. 5D-9) Notice of Finance Meeting to be Held on 3/10/99.

Item 85 – (Comm. 5D-10) Notice of Meeting to be Held on 3/11/99.

The above two items were received and filed.

**FROM THE COUNTY ATTORNEY**

Item 86 – (Comm. 5D-11) Notice of County Executive's Public Hearing – Local Law Intro. No. 2 – 1999.

Received, filed, and printed.

February 19, 1999

Ms. Laurie Manzella, Clerk  
Erie County Legislature  
25 Delaware Avenue  
Buffalo, New York 14202

**RE: Notice of Public Hearing  
Local Law Intro. No. 2-1999**

Dear Ms. Manzella:

Enclosed herein is a copy of the Public Hearing Notice for the above captioned, Local Law Intro. No. 2-1999 which was adopted by the Erie County Legislature on February 18, 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 Enc.

**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that Erie County Executive Dennis T. Gorski, will hold a public hearing on Wednesday, March 3, 1999 at 10:00 a.m. concerning:

A LOCAL LAW in relation to granting a partial exemption from real property taxation, pursuant to section four hundred fifty nine-c of the real property tax law, to persons with disabilities who have limited incomes.

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 February 18, 1999, the Erie County Legislature adopted Erie County Local Law Introduction Number 2 of 1999. Copies of the proposed local law are available for public inspection in the office of the Clerk of the Erie County Legislature, on the 7<sup>th</sup> floor of 25 Delaware Avenue, in the City of Buffalo, New York.

DENNIS T. GORSKI  
Erie County Executive

Item 87 – (Comm. 5D-12) Notice of County Executive's Public Hearing Intro Nos. 3-12, 3-13, 3-14, 4-12, &4-15.

Received, filed and printed.

February 19, 1999

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

**RE: Notice of Public Hearing**  
**Resolutions Reference Intro. 3-12, Intro. 3-13, Intro. 3-14,**  
**Intro. 4-12 and Intro. 4-15**

Dear Ms. Manzella:

Enclosed herein is a copy of the Public Hearing Notice for the above captioned Resolutions Reference Intro. 3-12, Intro. 3-13 and Intro. 3-14 which were adopted by the Erie County Legislature on February 4, 1999 and Resolutions reference Intro. 4-12 and Intro. 4-15 which were adopted by the Erie County Legislature on February 18, 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

1st Assistant County Attorney

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN THAT Eric County Executive Dennis T. Gorski, will hold a public hearing on Wednesday, March 3, 1999 at 10: 15 a.m. concerning appropriations from the County contingency fund for the following purpose:

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN THAT Erie County Executive Dennis T. Gorski, will hold a public hearing on Wednesday, March 3, 1999 at 10:15 a.m.. concerning appropriations from the County contingency fund for the following purpose:

|  |                    |
|--|--------------------|
| <b>BOYS &amp; GIRLS CLUBS OF BUFFALO</b>                 | <b>\$15,000.00</b> |
| <b>INTERNATIONAL INSTITUTE OF BUFFALO, INC.</b>          | <b>\$ 1,000.00</b> |
| <b>SOUTH BUFFALO COMMUNITY ASSOCIATION</b>               | <b>\$54,500.00</b> |
| <b>VALLEY COMMUNITY ASSOCIATION</b>                      | <b>\$20,000.00</b> |
| <b>A.B.L.E.Y.</b>  | <b>\$15,000.00</b> |
| <b>OLD FIRST WARD COMMUNITY CENTER</b>                   | <b>\$ 8,000.00</b> |
| <b>IRON ISLAND PRESERVATION SOCIETY OF LOVEJOY, INC.</b> | <b>\$ 2,500.00</b> |
| <b>TOWN BOYS &amp; GIRLS CLUB</b>                        | <b>\$25,000.00</b> |
| <b>FRANCISCAN CENTER</b>                                 | <b>\$40,000.00</b> |
| <b>BUFFALO URBAN LEAGUE (CAMAP)</b>                      | <b>\$50,000.00</b> |
| <b>SOUTH BUFFALO COMMUNITY ASSOCIATION</b>               | <b>\$ 2,500.00</b> |
| <b>WATERFRONT SCHOOL PLAYGROUND COMMITTEE</b>            | <b>\$ 5,000.00</b> |
| <b>PARKSIDE COMMUNITY ASSOCIATION</b>                    | <b>\$ 5,000.00</b> |
| <b>BUFFALO OLMSTED PARKS CONSERVANCY</b>                 | <b>\$ 5,000.00</b> |
| <b>STAR SWIMMING</b>                                     | <b>\$20,000.00</b> |
| <b>NATIONAL NIGHT OUT 1999 - VILLAGE OF BLASDELL</b>     | <b>\$ 2,000.00</b> |

**MEETING NO. 5**

**March 4, 1999**

**ERIE COUNTY LEGISLATURE**

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

On February 4. 1999 the Erie County Legislature adopted Resolutions Reference Intro. 3

12, Intro.' 3- I 3 ), Intro. 3 - 14. Intro. and on February 18. 1999 adopted Resolutions Reference Intro. 4-12 and Intro. 4-15 authorizing these actions. Copies of the proposed resolutions are available for public inspection in the office of the Clerk of the Erie County Legislature. on the 7<sup>th</sup> Floor of 25 Delaware Avenue. in the City of Buffalo. New York.

DENNIS T. GORSKI  
ERIE COUNTY EXECUTIVE

FROM DPW

Item 88 – (Comm. 5D-13) Niagara International Transportation Technology Coalition (NITTC).

Item 89 – (Comm. 5D-14) Buffalo & Erie County Library Local Area Network for OPAC Network Center Air Conditioning (AB-95-34)

Item 90 – (Comm. 5D-15) Countywide Roof Replacement & Waterproofing & Parks Department Building Repair.

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

Item 91 – (Comm. 5D-16) Conveyance of a Portion of Excess Highway Right-of-Way for Jewett Holmwood Road, Town of Aurora.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 92 – (Comm. 5D-17) CMAQ Intersection Project Signal Improvements – Borden Road Intersections Town of Cheektowaga.

Item 93 – (Comm. 5D-18) Buffalo & Erie County Main Library Roof Replacement

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

Item 94 – (Comm. 5D-19) Conveyance of a Portion of Existing Highway Right –of-Way to 9274 Group, Inc – A NY Corp – Milestrip Road, Town of Hamburg.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 95 – (Comm. 5D-20) Sweet Home Road, Town of Amherst.

Received and referred to the Economic Development Committee.

Item 96 – MS. PEOPLES presented the following and moved for immediate consideration. MR. OLMA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 98

Re: Agreement with NYSDOT – Newhouse Road Bridge, Town of Clarence. (Comm. 5D-21)

WHEREAS, a project for the replacement of the CR 280, Newhouse Road Bridge over Got Creek, BIN 3-32666-0, in the Town of Clarence, Erie County, P.I.N. 5754.32 (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80%; Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of 100% of the non-Federal share of the cost of the Construction Phase of the Project, PIN 5754.32, or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation ("NYSDOT") pursuant to Agreement.

NOW, THEREFORE, the County Legislature of the County of Erie, duly convened does hereby

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

RESOLVED that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance the full non-Federal share of the cost of Construction Phases of the project or portions thereof; and be it further

RESOLVED, that the sum of \$69,000.00 is hereby appropriated as follows: from the 1998 Federal Aid Programs \$13,200.00 and contingent on funds being made available from the 1999 Federal Aid Programs \$55,800.00 and to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, that in the event the non-Federal share of the costs of the project exceed the amount appropriated above, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof; and be it further

RESOLVED, that the County Executive of the County of Erie be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration

of the Project and the Municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

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

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

CARRIED UNANIMOUSLY.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM NYSDEC**

Item 97 – (Comm. 5M-1) Fact Sheet – River Road & Cherry Farm.

Received and filed.

**FROM EC ENVIRONMENTAL MANAGEMENT COUNCIL**

Item 98 – (Comm. 5M-2) Meeting Notice 2/16/99.

Received and filed.

**FROM THE TOWN OF GRAND ISLAND**

Item 99 – (Comm. 5M-3) Certified Resolution in Opposition to Sales Tax Exemptions of Certain Items of Clothing.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM SWEETHOME CENTRAL SCHOOL DISTRICT**

Item 100 – (Comm. 5M-4) Letter to Chairman Swanick Indicating that School Board has not Reached a Consensus Decision Re: Permanent Sales Tax Exemption.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM COMMUNITY GRIEF CENTER OF WNY**

**MEETING NO. 5**

**March 4, 1999**

**ERIE COUNTY LEGISLATURE**

Item 101 – (Comm. 5M-5) 1998 Public Benefit Funding – Final Report.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE

FROM VILLAGE OF ALDEN

Item 102 – (Comm. 5M-6) Certified Resolution in Opposition to a Permanent Sales Tax Exemption of Clothing & Footwear.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM WILLIAMSVILLE CENTRAL SCHOOL BOARD OF EDUCATION

Item 103 – (Comm. 5M-7) Letter Stating Opposition to any Reduction in the Amount of Revenue Receiving from Erie County Sales Tax Receipts.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM NEW YORK CHARTER SCHOOL RESOURCE CENTER

Item 104 – (Comm 5M-8) Letter to Chairman Swanick Re: NYS Charter School Law.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM CHARLES P. EVINGHAM

Item 105 – (Comm. 5M-9) Request for County Funds for Vets Monument.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM NYSDEC

Item 106 – (Comm. 5M-10) Meeting Notice 3/2/99.

Received and filed.

FROM TOWN OF ALDEN

Item 107 – (Comm. 5M-11) Letter in Opposition to Year Round Sales Tax Exemption.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM VILLAGE OF NORTH COLLINS

Item 108 – (Comm. 5M-12) Letter in Opposition to the Permanent Sales Tax Exemption.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM TONAWANDA CITY SCHOOL DISTRICT**

Item 109 – (Comm. 5M-13) Letter in Opposition to the Permanent Sales Tax Exemption.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM ROBERT F. BINIZKIEWICZ**

Item 110 – (Comm. 5M-14) Peace Bridge.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**CORTLAND COUNTY LEGISLATURE**

Item 111 – (Comm. 5M-15) Certified Resolution Re: EISEP & CSE.

Received and referred to the SOCIAL SERVICES COMMITTEE.

**DUTCHESS COUNTY LEGISLATURE**

Item 112 – (Comm. 5M-16) Certified Resolution Re: In Support for State Funding of Soil & Water Conservation Districts.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**CONGRESSMAN QUINN**

Item 113 – (Comm. 5M-17) Acknowledgement of Receipt of Resolution.

Received and filed.

**TOWN OF COLDEN**

Item 114 (Comm. 5M-18) Certified Resolution Re: Opposing Permanent Elimination of Sales & Use Tax & Supporting Option for Counties to Designate Tax-Free Period.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE

Item 115 – (Comm. 5M-19) Certified Resolution Re: Increasing CHIPS Funding in the 1999-2000 NYS Budget.

**MEMORIAL RESOLUTIONS**

**MEETING NO. 5**

**March 4, 1999**

**ERIE COUNTY LEGISLATURE**

Item 116 – MR. OLMA requested that when this legislature adjourns, it do so in memory of Ray Goembieski, Democratic Committeeman and Zone 10 Chair.

**ADJOURNMENT**

Item 117 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MS. PEOPLES moved that the Legislature adjourn until **2:00 p.m., Thursday, March 18, 1999**. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature **adjourned until Thursday, March 18, 1999 AT 2 P.M. Eastern Standard Time.**

**LAURIE MANZELLA  
CLERK**