

ERIE COUNTY LEGISLATURE  
MEETING NO. 6  
March 18, 1999

The Legislature was called to order by Chairman Swanick.

All Members Present.

A moment of silence was held.

The Pledge of Allegiance was led by MS. PEOPLES.

MS. PEOPLES moved to approve the minutes of meeting 5 of 1999. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MISCELLANEOUS RESOLUTIONS

Item 1 - MR. DUSZA presented a resolution Congratulating Doyle Volunteer Hose Company No. 2 on Their 75<sup>th</sup> Anniversary. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 2 – MR. SWANICK presented a resolution Commending National PTA & Cable Television Industry for National Critical Viewing Day. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 3 – MS. PEOPLES presented a proclamation commending True Bethel Baptist Church Christian Academy Committee on Hero and Shero Awards to Deserving Community Residents. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 4 – MS. PEOPLES presented a proclamation recognizing American Diabetes Association in celebrating Tuesday March 23, 1999 as Diabetes Alert Day. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 5 - MS. PEOPLES presented a resolution memorializing Annie Ruth Harris. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

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

Item 7 - 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 8 - MR. OLMA presented the following and moved for immediate consideration. MRS. FISHER seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 99

March 9, 1999

ENERGY & ENVIRONMENT  
COMMITTEE  
REPORT NO. 4

ALL MEMBERS PRESENT.

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

a. Item Page -1999 (Comm. 3M-3)  
**MELINDA HOLLAND CITIZEN TASK FORCE: Summary of Meeting Held 12/21/98 & notice of Meeting Held 2/3/99**  
(5-0)

b. Item Page -1999 (Comm. 4M-6)  
**NYSDEC: Notice of Public Meeting to be Held 2/24/99**  
(5-0)

c. Item Page -1999 (Comm. 5E-21)  
**COUNTY EXECUTIVE: ECSD No. 6 - Modification of Plans (1999) EC Sewer Agency Report**  
(5-0)

d. Item Page -1999 (Comm. 5E-22)  
**COUNTY EXECUTIVE: ECSD No. 4 - Depew Pumping Station Contract EC-6D-Change Order No. 4 CIR Electrical Construction**  
(5-0)

Item Page -1999 (Comm. 5M-16)

- e. **DUTCHESS COUNTY LEGISLATURE:** Certified Resolution Re: In Support for State Funding of Soil & Water Conservation Districts (5-0)

2. Item Page - 1999 **AS AMENDED**  
**COUNTY EXECUTIVE** (Comm. 1E-23)  
RESOLUTION NO. \_\_\_\_\_

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

A RESOLUTION APPROVING A MODIFICATION OF PLANS FOR THE INCREASE AND IMPROVEMENT OF FACILITIES FOR ERIE COUNTY SEWER DISTRICT NO. 4 IN THE COUNTY OF ERIE, NEW YORK

(Introduced)	1999.
(Adopted)	1999.

WHEREAS, The County Legislature of the County of Erie, New York, has heretofore duly directed that there be prepared a report and estimate of cost by the County Engineers (Erie County Department of Environment and Planning) relating to a proposed modification of plans for the increase and improvement of the facilities for County Sewer District No. 4 authorized by the County Legislature on April 25, 1996, which report and estimate of cost have been filed with the County Legislature pursuant to Section 253-b of the County Law; and

WHEREAS, such report and estimate of cost have been approved by the Erie County Sewer Agency pursuant to a written report dated January 15, 1999, which has also been filed with said County Legislature on January 25, 1999; and

WHEREAS, said report and estimate of cost describe a proposed modification of plans for such increase and improvement of the facilities of Erie County Sewer District No. 4 in said County, consisting of the design, engineering, and construction of an addition to the Administration Building for Northern Region, i.e., Sewer District Nos. 1, 4 and 5, Garage A reconstruction, loading dock improvements, and related improvements to the site of such building located at 3789 Walden Avenue in Lancaster, all as more fully described in the report and estimate of cost herein referred to; and

WHEREAS, the maximum estimated cost of the aforesaid design, engineering, and construction of the facilities of said Sewer District is \$2,000,000, to be apportioned against a benefited area which consists of the entire areas of Erie County Sewer District Nos. 1, 4, and 5 as well as the contracting communities associated with said districts, each in accordance with their respective proportionate shares of equivalent dwelling units in their respective service areas; and

WHEREAS, said County Legislature duly adopted Resolution No. 51 on the 18th

day of February 1999, calling a meeting of the County Legislature for the purpose of holding a public hearing to consider said modification of plans for such increase and improvement of facilities in accordance with the provisions of Section 253-b of the County Law; and

WHEREAS, said public hearing was duly held at 25 Delaware Ave., Buffalo New York, in said County, on the 18th day of March 1999, at 1:30 o'clock P.M., Prevailing Time; and

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

WHEREAS, said County Legislature had duly considered the evidence given at such public hearing

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 modify the plans for such increase and improvement of the facilities of Erie County Sewer District No. 4 in the County of Erie, New York, all as more fully described in the preambles hereof, and such modification of plans for the increase and improvement of facilities is hereby authorized at a maximum estimated cost of \$2,000,000.

Section 2. The cost of the proposed modification expenditure is to be apportioned against a benefited area which consists of the entire areas of Erie County Sewer District Nos. 1, 4, and 5, as well as the contracting communities associated with said districts, each in accordance with their respective proportionate shares of equivalent dwelling units in their respective service areas, and all such real property to be so assessed will be benefited by the proposed modification and no benefited property has been excluded.

Section 3. This resolution shall take effect immediately.

(5-0)

3.	Item	Page	- 1999	<b>AS AMENDED</b> (Comm. 2E-21)
	<b>COUNTY EXECUTIVE</b>			

WHEREAS, the Erie County Legislature had awarded Contract No. EC-6C to MKS Plumbing Corporation; and

WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the final acceptance of Contract No. EC-6c in

the amount of \$40,183.00 which includes Change Order No. 2 (final), being an extension of the contract completion date; and the processing of the final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. EC-6C between the County of Erie and MKS Plumbing Corporation, 19 Ransier Drive, West Seneca, New York 14224, be accepted in the amount of \$40,183.00, which includes Change Order No. 2 (final), being an extension of the contract completion date; and be it further

RESOLVED, that the Erie County comptroller is hereby authorized and directed to finalize Contract No. EC-6C between the County of Erie and MKS Plumbing Corporation in the amount of \$40,183.00 and make final payment from Sewer Capital Account SD No. 4, Fund No. 430, Project No. 535; 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 Stephen Gawlik, Assistant County Attorney.

(5-0)

4. Item Page - 1999 (Comm. 5E-18)

**COUNTY EXECUTIVE**

WHEREAS, in November 1996, the NYS Department of Economic Development, Empire State Development Corporation, Office of Recycling Market Development (OMRD) provided the County of Erie \$122,850.00 in state grant funding to implement a "Construction and Demolition Debris Recycling Project" for County residents, and

WHEREAS, the best use of the grant resources is not consistent with the budget appropriated by a May 1, 1997 Legislative Resolution, and

WHEREAS, it is necessary to revise the grant budget to meet the needs of the project, and

WHEREAS, the NYSDDED OMRD has processed these necessary revisions, and

WHEREAS, the NYSDDED OMRD has agreed to and approved a no cost time extension for the Erie County program extending the project completion date to December 31, 1999,

NOW THEREFORE BE IT

RESOLVED, that the budget of the Erie County Construction and Demolition Debris Recycling Project (SFG#648) is hereby revised as follows for the period 4/1/97 - 12/31/99:

Object Description	Current Budget	Revisions	Revised Budget
800 Salaries	\$68,000	\$4,000	\$72,000
805 Fringe Benefits	16,850	1,150	18,000
810 Office Supplies	2,000	0	2,000
825 Out of Area Travel	1,500	0	1,500
830 Contractual Agencies	25,000	(8,900)	16,100
824 Travel & Mileage	500	0	500
826 Other	4,000	3,750	7,750
933 Equipment	5,000	0	5,000
<b>Total Expenditures</b>	<b>\$122,850</b>	<b>\$ 0</b>	<b>\$122,850</b>

and be it further,

RESOLVED, that certified copies of this resolution be sent to the Director of Budget, Management and Finance, the Commissioner of Environment and Planning, and the County Attorney.

(5-0)

5. Item Page - 1999 (Comm. 5E-19)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature had awarded Contract No. 19 (General) to Visone Construction, Inc.; and

WHEREAS, the Erie County Division of sewerage Management has advised the Legislature that all scheduled improvements are now completed, and

WHEREAS, the Erie County Department of Environment and Planning has recommended the final acceptance of the Contract No. 19 (General) in the amount of \$361,788.89 which includes Change Order No. 1 (final), a decrease of \$103,286.11, and the processing of the final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 19 (General) between the County of Erie and Visone Construction Inc., 79 Sheldon Avenue, Depew, New York 14043 be accepted in the amount of \$361,788.89, which includes Change Order No. 1 (final), a decrease of \$103,286.11; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No. 19 (General) between the County of Erie and Visone Construction, Inc. in the amount of \$361,788.89 and make final payment from Sewer Capital Account SD No. 1

Fund No. 430, Project No. 694, and return the unused portion \$103,286.11 to Unallocated Account 891; and be it further

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

(5-0)

6. Item Page - 1999 (Comm. 5E-20)

**COUNTY EXECUTIVE**

WHEREAS, the United States Environmental Protection Agency (USEPA) has determined that radon and other indoor air contaminants are significant threats to public health, and

WHEREAS, Western New York has been designated by the USEPA as a Zone 1 Radon Potential Area (highest risk), and

WHEREAS, Erie County has established and operated a very successful Radon / Indoor Air Quality Awareness Program for several years and has acquired valuable experience and expertise, and

WHEREAS, the New York State Department of Health (NYSDOH) has solicited Erie County to continue its coordination of a partnership of Western New York Counties and Tribal Lands for cooperative and coordinated Radon/Indoor Air Qualities Programs and to implement a Comprehensive Radon Risk Reduction Program, and

WHEREAS, the objective of this program is to reduce the health and safety risks associated with exposure to radon, carbon monoxide and other residential indoor air contaminants to the residents of Western New York, and

WHEREAS, under the principles of environmental equity, the program will identify low-income minority populations that may be disproportionately at risk, and

WHEREAS, NYSDOH, in conjunction with the USEPA, will enter into agreement with Erie County to provide \$71,250 from the SIRG 9 Grant, and

WHEREAS, Erie County will implement this initiative and provide technical assistance, in-kind services, and logistical support to the residents of Western New York and affiliated program members,

NOW THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute an agreement with the New York State Department of Health (NYSDOH) to accept a grant of \$71,250 to implement the Erie County / Western New York Comprehensive Radon Risk Reduction Program, and

RESOLVED, that the following position and title are hereby created to implement this program:

Sr. Environmental Education Specialist (JG XI) (See Attached)

RESOLVED, that the grant be appropriated into a budget as follows:

REVENUES:

593	State Aid	\$71,250
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APPROPRIATIONS:

800	Personal Services	53,000
805	Fringe Benefits	13,250
824	Local Travel & Mileage	500
825	Out of Area Travel	.1,000
826	Other	500
830	Contractual Services	3,000

TOTAL APPROPRIATIONS \$71,250

AND BE IT FURTHER

RESOLVED, that certified copies of the resolution be sent to the Director of Budget and Management, the County Attorney, the Commissioner and Environment and Planning, and the Commissioner of Personnel.

(5-0)

7. Item Page - 1999 (Comm. 5E-25)

**COUNTY EXECUTIVE**

RESOLVED, that the County Executive is hereby authorized to enter into three one- year contracts with Belmont Shelter Corp., a private, not-for-profit corporation, for the provision of comprehensive housing counseling services in conjunction with the Erie County Consortium Community Development Block Grant Program and be it further

RESOLVED, that the amount of the contract shall not exceed \$25,000 for the 1999 program year, \$25,750 for the 2000 program year, and \$26,523 for the 2001 program year, and be it further

RESOLVED, that said contract authorization is contingent on the Erie County Community Development Block Grant consortium receiving federal funds for the 1999, 2000, 2001 program years, and be it further

RESOLVED, that the request for proposal provisions of Section 19.08 of the Erie County Administrative Code were complied with, and be it further



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

(5-0)

8. Item Page - 1999 (Comm. 5E-30)

**COUNTY EXECUTIVE**

WHEREAS, Erie County department of Environment and Planning has determined a need to perform engineering services to perform a Facilities Planning Study; and

WHEREAS, the 1998 annual budget has been exceeded in Account 304, Payments in Lieu of Taxes, in the General Fund, Countywide Accounts - Budget (DAC 110 923 310 304); and

WHEREAS, the Erie County Department of Environment & Planning has solicited proposals from qualified engineering firms and ranked them in accordance with the Administrative Code; and

WHEREAS, the first ranked firm of URS Greiner Woodward Clyde Group Consultants, Inc., 282 Delaware Avenue, Buffalo, NY 14202 is recommended to perform engineering services related to the development of a Facilities Planning Report at a cost not to exceed \$30,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that an agreement for engineering services with URS Greiner Woodward Clyde Group Consultants, Inc., 282 Delaware Avenue, Buffalo, NY 14202 in an amount not to exceed \$30,000 is hereby approved; and be it further

RESOLVED, that the following transfers are approved in the 1998 General Fund:

	<u>Increase</u>
Payments in Lieu of Taxes Revenue in the Countywide Accounts - Budget (DAC 110 923 310 304)	\$30,000
Interfund Transfers to the Capital Fund in the Department of Environment & Planning (DAC 110 945 620 886 2208)	\$30,000

and be it further,

RESOLVED, that the County Executive, be and hereby is, authorized to execute the contract with URS Greiner Woodward Clyde Group Consultants, Inc. 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 County Comptroller be authorized and directed to allocate \$30,000 from Fund 430 Project 798; and be it further

RESOLVED, that a certified copy of the resolution be sent to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, Stephen F. Gawlik, Assistant County Attorney, Kenneth C. Kruly, Director, Budget, Management & Finance, and Nancy Naples, Comptroller.

(5-0)

9. Item Page - 1999 (Comm. 5E-35)

**COUNTY EXECUTIVE**

RESOLVED, that the Erie County Executive is hereby authorized to execute an amendatory agreement with Rural Transit Services, Inc. (RTS) increasing the authorized contract amount from \$290,033 to \$325,500 for the purpose of operating the Southtowns Rural Transit Service Van Program through May 31, 1999, and be it further

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

(5-0)

**GREGORY OLMA  
CHAIRMAN**

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

CARRIED UNANIMOUSLY.

Item 9 – MS. MARINELLI presented the following and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 100

March 11, 1999

COMMUNITY ENRICHMENT  
COMMITTEE  
REPORT NO. 4

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

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

- Item Page -1998 (Comm. 20M-9)  
a. **ECC BARGAINING UNITS:** Letter to Chairman Swanick Re: Expressing Concerns Regarding Request for Proposal  
(6-0) Chairman Swanick present as Ex-officio member.
- Item Page -1998 (Comm. 29E-5)  
b. **MARINELLI & SWANICK:** Copy of Letter to Town of Tonawanda Re: Aaron Cohen Associates Public Library Study  
(6-0) Chairman Swanick present as Ex-officio member.
- Item Page -1999 (Comm. 1E-7)  
c. **MARINELLI:** Copy of Articles Re: Library Closings.  
(6-0) Chairman Swanick present as Ex-officio member.
- Item Page -1999 (Comm. 1M-15)  
d. **ARTS COUNCIL IN BUFFALO AND ERIE COUNTY:** Letter to Chairman Swanick Re: Update on Activities Linking Arts & Tourism.  
(6-0) Chairman Swanick present as Ex-officio member.
- Item Page -1999 (Comm. 2D-5)  
e. **ECC:** Letter to Legislator Marinelli Re: Fiscal & Budgetary Impact of SUNY Mandated General Education Liberal Arts 32 Hrs of Core Curriculum.  
(6-0) Chairman Swanick present as Ex-officio member.
- Item Page -1999 (Comm. 2M-14)  
f. **ARTS COUNCIL IN BUFFALO AND ERIE COUNTY:** Update on Activities Linking Arts & Tourism Between Arts Council  
(3-0) Legislators Holt, Pauly and Chairman Swanick not present for vote.
- Item Page -1999 (Comm. 3E-2)  
g. **MARINELLI:** Copy of Letter to Kenmore -Tonawanda Libraries Advisory Board Re: Library Services Located in Legislative Districts 10 & 11.  
(6-0) Chairman Swanick present as Ex-officio member.
- Item Page -1999 (Comm. 3E-29)  
h. **MARINELLI:** Letter Re: Future of Neighborhood Libraries.  
(6-0) Chairman Swanick present as Ex-officio member.
- Item Page -1999 (Comm. 3M-6)  
i. **TOWN OF TONAWANDA:** Copy of Letter to Buffalo & Erie County Public Library Re: Future of Library System in Erie County.  
(6-0) Chairman Swanick present as Ex-officio member.
- Item Page -1999 (Comm. 4M-14)

- j. **GREATER BUFFALO CONVENTION & VISITORS BUREAU:** 1999 Marketing Plan.  
(3-0) Legislators Holt, Pauly & Chairman Swanick not present for vote.

- |    | Item   | Page | -1999 | (Comm. 4M-17) |
|----|--|------|-------|---------------|
| k. | <b>ADMINISTRATORS ASSOCIATION OF ECC:</b> Letter to Legislator Fisher Re: Effects of NYS's Budget on Community Colleges.<br>(6-0) Chairman Swanick present as Ex-officio member. |      |       |               |

- |    | Item  | Page | -1999 | (Comm. 5D-7) |
|----|---|------|-------|--------------|
| l. | <b>COMMISSION ON THE STATUS OF WOMEN:</b> Minutes of Meeting.<br>(6-0) Chairman Swanick present as Ex-officio member. |      |       |              |

- |    | Item  | Page | -1999 | (Comm. 5E-11) |
|----|---|------|-------|---------------|
| m. | <b>MARINELLI:</b> ECC 1999-2000 Budget Advocacy Agenda.<br>(6-0) Chairman Swanick present as Ex-officio member. |      |       |               |

- |    | Item   | Page | -1999 | (Comm. 5E-14) |
|----|--|------|-------|---------------|
| n. | <b>COUNTY EXECUTIVE:</b> \$25,000 County Appropriation for the Greater Buffalo Convention & Visitors Bureau.<br>(6-0) Chairman Swanick present as Ex-officio member. |      |       |               |

**AS AMENDED**

- | 2. | Item                    | Page | -1999 | (Comm. 2E-15) |
|----|-------------------------|------|-------|---------------|
|    | <b>COUNTY EXECUTIVE</b> |      |       |               |

WHEREAS, the Erie County Legislature amended the 1987 Erie County Budget to stipulate that all requests for authority to recruit at a higher increment level must be approved by both the Legislature and the County Executive, and

WHEREAS, the same stipulation is contained in the written amendments to the 1999 Erie County Budget, and

WHEREAS, sufficient funds are available in the Erie Community College's salary account, to fund the variable minimum, and no additional funds will be necessary.

NOW, THEREFORE, BE IT

RESOLVED, that the President be hired at a Job Group 21 Step 5, \$112,915, and be it further

RESOLVED, that once a variable minimum is approved for this position, the President can be hired at the agreed upon step, and be it further

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

(6-0) CHAIRMAN SWANICK PRESENT AS EX-OFFICIO.

LYNN MARINELLI  
CHAIRPERSON

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY

RESOLUTION NO. 101

March 11, 1999

FINANCE & MANAGEMENT  
COMMITTEE  
REPORT NO. 3

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

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

- a.           Item           Page                           -1998           (Comm. 22E-3)  
**COMPTROLLER:** Cost of Borrowing Report.  
(4-0) Legislator Fitzpatrick absent.
- b.           Item           Page                           -1998           (Comm. 27D-11)  
**BUDGET, MANAGEMENT & FINANCE:** Budget Monitoring Report for the period  
Ending 9/30/98.  
(4-0) Legislator Fitzpatrick absent.
- c.           Item           Page                           -1998           (Comm. 27E-1)  
**COMPTROLLER:** County of Erie 1999 Tentative Budget.  
(4-0) Legislator Fitzpatrick absent.
- d.           Item           Page                           -1998           (Comm. 29D-8)  
**BUDGET MANAGEMENT & FINANCE:** Budget Monitoring Report for the Period  
Ending 10/31/98.  
(4-0) Legislator Fitzpatrick absent.
- e.           Item           Page                           -1999           (Int. 2-10)  
**GREENAN, LARSON, RANZENHOFER, MARSHALL, WEINSTEIN & CHASE:**  
Possible Savings through Regionalized Self-Insured Workers' Compensation Insurance.

(4-0) Legislator Fitzpatrick absent.

- f. Item Page -1999 (Comm. 5M-5)  
**COMMUNITY GRIEF CENTER OF WNY: 1998 Public Benefit Funding - Final Report.**

(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-officio member.

**AS AMENDED**

2. Item Page - 1998 (Comm. 1D-15A)  
**BUDGET, MANAGEMENT & FINANCE**

WHEREAS, the Erie County Director of Real Property Tax Services has

received applications for corrected tax billings and / or refunds for taxes

previously paid in accordance with New York State Real Property Tax Law

sections 554 and 556 and

WHEREAS, the Director has investigated the validity of such

applications ( see attached listing ) now therefore be it ,

RESOLVED, that petitions numbered 980758 through 980858 inclusive

be hereby approved or denied based upon the recommendation of the Director

of Real Property Services and be charged back to the applicable Towns

and / or Cities.

Petition No. 980758 / 1999 - ASSESSOR - Cancel - \$250.51

SBL No. 123.82-3-26 - CITY OF BUFFALO

Acct. No. 112 - \$ 250.51 - County

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

Charge to :  
CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF

51,840 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE

TAX ROLL. RPTL 550(2)C.

Petition No. 980759 / 1999 - ASSESSOR - Cancel - \$86.98

SBL No. 133.55-1-18 - CITY OF BUFFALO

Acct. No. 112 - \$ 86.98 - County

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

Charge to :

CANCEL - UNLAWFUL ENTRY, THIS PARCEL IS OWNED BY THE UNITED STATES

POSTAL SERVICE MAKING IT WHOLLY EXEMPT FROM TAXES. RPTL 550(7)A.

Petition No. 980760 / 1999 - ASSESSOR - Cancel - \$712.80

SBL No. 16.00-5-24 - TOWN OF AMHERST

Acct. No. 112 - \$ 445.49 - County

Acct. No. 132 - \$ 267.31 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST

267.31

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 45,900

THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX

ROLL. RPTL 550(2)C.

Petition No. 980761 / 1998 - ASSESSOR - Refund - \$473.45

SBL No. 26.08-3-2 - TOWN OF AMHERST

Acct. No. 112 - \$ 264.79 - County

Acct. No. 132 - \$ 208.66 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST

208.66

REFUND - CLERICAL ERROR, THE EXEMPTION FOR WHICH THIS PARCEL IS

BEING CHARGED ON THE RPTL 520 DID NOT EXIST ON THE 1997 TAX ROLL.

RPTL 550(2)A.

CHECK IN FAVOR OF: DOROTHY & WILLIAM WATSON

- Petition No. 980762 / 1999 - ASSESSOR - Cancel - \$97.03

SBL No. 26.19-3-1.112 - TOWN OF AMHERST

Acct. No. 112 - \$ 53.38 - County

Acct. No. 132 - \$ 43.65 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST

37.75

AMHERST # 9 FIRE PROTECTI 5.90

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY

ON THE TAX ROLL. THE ASSESSMENT WAS 198,000 AND SHOULD BE  
192,500.

RPTL 550(2)A.

Petition No. 980763 / 1999 - ASSESSOR - Cancel - \$488.93

SBL No. 27.15-4-48 - TOWN OF AMHERST

Acct. No. 112 - \$ 244.59 - County

Acct. No. 132 - \$ 244.34 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST

244.34

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY

ON THE TAX ROLL. THE ASSESSMENT WAS 133,200 AND SHOULD BE  
108,000.

RPTL 550(2)A.

Petition No. 980764 / 1999 - ASSESSOR - Cancel - \$529.50

SBL No. 28.00-3-10 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 529.50 - Town/SpecialDist/School



Charge to : TOWN OF AMHERST  
529.50

CANCEL - CLERICAL ERROR, THE GALLONAGE FIGURES USED TO  
CALCULATE  
THE SEWER TAX WAS INCORRECT. THE FIGURES USED WAS 221,000  
WHEN IT  
SHOULD BE 32,000 GALLONS. RPTL 550(2)E.

Petition No. 980765 / 1999 - ASSESSOR - Cancel - \$213.38

SBL No. 28.04-2-37 - TOWN OF AMHERST

Acct. No. 112 - \$ 116.47 - County

Acct. No. 132 - \$ 96.91 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
82.35

SWORMSVILE FIRE PROTECTIO 14.56

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY  
ON THE TAX ROLL. THE ASSESSMENT WAS 58,000 AND IT SHOULD BE  
46,000.  
RPTL 550(2)A.

Petition No. 980766 / 1999 - ASSESSOR - Cancel - \$105.28

SBL No. 28.13-1-22.1 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 105.28 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
105.28

CANCEL - CLERICAL ERROR, AN INCORRECT TAX RATE WAS USED TO  
DETERMINE  
THE AMOUNT OF TAXES FOR SANITARY TRUNK SEWER. RPTL 550(2)D

PETITION NUMBER 980766 CONTINUED

Petition No. 980767 / 1999 - ASSESSOR - Cancel - \$240.00

SBL No. 28.14-4-24 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 240.00 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
240.00

CANCEL - CLERICAL ERROR, THE GALLONAGE FIGURES USED TO  
DETERMINE

THE AMOUNT OF TAX WAS INCORRECT. THE GALLONAGE FIGURES USED  
WAS

900,000 AND SHOULD BE 100,000. RPTL 550(2)A.

Petition No. 980768 / 1999 - ASSESSOR - Cancel - \$194.12

SBL No. 28.33-1-179 - TOWN OF AMHERST

Acct. No. 112 - \$ 121.32 - County

Acct. No. 132 - \$ 72.80 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
72.80

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT  
OF 12,500

THAT THIS PARCEL IS ENTITLED WAS OMITTED IN ERROR FROM THE  
TAX ROLL.

RPTL 550 (2)C

Petition No. 980769 / 1999 - ASSESSOR - Cancel - \$324.90

SBL No. 29.01-2-7.2 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 324.90 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
324.90

CANCEL - CLERICAL ERROR, THE GALLONAGE FIGURES USED TO DETERMINE THE AMOUNT OF SANITARY SEWER TAX WAS INCORRECT. THE FIGURES USED WAS 1,444,000 AND SHOULD BE 361,000. RPTL 550(2)E.

Petition No. 980770 / 1999 - ASSESSOR - Cancel - \$391.35

SBL No. 40.19-5-36 - TOWN OF AMHERST

Acct. No. 112 - \$ 244.58 - County

Acct. No. 132 - \$ 146.77 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
146.77

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 25,200 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 980771 / 1999 - ASSESSOR - Cancel - \$372.90

SBL No. 40.15-1-9 - TOWN OF AMHERST

Acct. No. 112 - \$ 233.05 - County

Acct. No. 132 - \$ 139.85 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
139.85

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 24,012 \_

PETITION NUMBER 980771 CONTINUED THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 980772 / 1999 - ASSESSOR - Cancel - \$128.12

SBL No. 40.14-4-15.1/174H - TOWN OF AMHERST

Acct. No. 112 - \$ 80.08 - County

Acct. No. 132 - \$ 48.04 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
48.04

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 8,250 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C,

Petition No. 980773 / 1999 - ASSESSOR - Cancel - \$261.11

SBL No. 41.04-3-1 - TOWN OF AMHERST

Acct. No. 112 - \$ 142.68 - County

Acct. No. 132 - \$ 118.43 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
118.43

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 144,700 AND SHOULD BE 130,000.  
RPTL 550(2)C.

Petition No. 980774 / 1999 - ASSESSOR - Cancel - \$243.34

SBL No. 41.04-3-65 - TOWN OF AMHERST

Acct. No. 112 - \$ 132.97 - County

Acct. No. 132 - \$ 110.37 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
110.37

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY

ON THE TAX ROLL. THE ASSESSMENT WAS 185,700 AND SHOULD  
172,000.

RPTL 550(2)C.

Petition No. 980775 / 1999 - ASSESSOR - Cancel - \$262.44

SBL No. 41.07-4-2.1/16B - TOWN OF AMHERST

Acct. No. 112 - \$ 164.03 - County

Acct. No. 132 - \$ 98.41 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
98.41

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT  
OF 16,900  
THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE  
TAX  
ROLL. RPTL 550(2)C.

Petition No. 980776 / 1999 - ASSESSOR - Cancel - \$3,168.58

SBL No. 41.11-1-1.111 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 3,168.58 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
3,168.58

CANCEL - CLERICAL ERROR, THE SANITARY TRUNK SEWER WAS CHARGED  
IN  
ERROR FOR THIS PARCEL. RPTL 550(2)E.

Petition No. 980777 / 1999 - ASSESSOR - Cancel - \$194.32

SBL No. 41.16-6-7 - TOWN OF AMHERST

Acct. No. 112 - \$ 97.05 - County

Acct. No. 132 - \$ 97.27 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
97.27

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY  
ON THE TAX ROLL. THE ASSESSMENT WAS 182,000 AND SHOULD BE  
172,000.  
RPTL 550(2)A.

Petition No. 980778 / 1999 - ASSESSOR - Cancel - \$722.12

SBL No. 41.16-8-34 - TOWN OF AMHERST

Acct. No. 112 - \$ 451.31 - County

Acct. No. 132 - \$ 270.81 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
270.81

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT  
OF 46,500  
THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE  
TAX  
ROLL. RPTL 550(2)C.

Petition No. 980779 / 1999 - ASSESSOR - Cancel - \$209.65

SBL No. 41.19-3-21 - TOWN OF AMHERST

Acct. No. 112 - \$ 131.03 - County

Acct. No. 132 - \$ 78.62 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
78.62

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT  
OF  
13,500 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR  
FROM THE  
TAX ROLL. RPTL 550(2)C.

Petition No. 980780 / 9697 - ASSESSOR - Refund - \$1,524.68

SBL No. 42.11-6-1 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,524.68 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 1,524.68

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY

ON THE TAX ROLL. THE ASSESSMENT WAS 149,000 AND SHOULD BE  
84,800.

RPTL 550(2)A.

CHECK IN FAVOR OF: PAMELA J & GREGORY POST

— Petition No. 980781 / 9798 - ASSESSOR - Refund - \$1,215.84

SBL No. 42.11-6-1 - TOWN OF AMHERST

Acct. No. 112 - \$ 645.68 - County

Acct. No. 132 - \$ 570.16 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
517.30

TRANSIT FIRE PROTECTION 52.86

REFUND - CLERICAL ERROR, THE ASSESSMENT WAS ENTERED  
INCORRECTLY

ON THE TAX ROLL. THE ASSESSMENT WAS 149,000 AND SHOULD BE  
84,800.

RPTL 550(2)A.

CHECK IN FAVOR OF: GREGORY & PAMELA POST

Petition No. 980782 / 9798 - ASSESSOR - Refund - \$1,698.16

SBL No. 42.11-6-1 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,698.16 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
111.09

WILLIAMSVILLE CENT 1,587.07

REFUND - CLERICAL ERROR, THE ASSESSMENT WAS ENTERED  
INCORRECTLY ON  
THE TAX ROLL. THE ASSESSED VALUE WAS 149,000 AND SHOULD BE  
84,800.

RPTL 550(2)A.

CHECK IN FAVOR OF: GREGORY & PAMELA POST

Petition No. 980783 / 1998 - ASSESSOR - Refund - \$1,338.06

SBL No. 42.11-6-1 - TOWN OF AMHERST

Acct. No. 112 - \$ 633.51 - County

Acct. No. 132 - \$ 704.55 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
645.34

TRANSIT FIRE PROTECTION 59.21

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY  
ON THE TAX ROLL. THE ASSESSMENT WAS 149,000 AND SHOULD BE  
84,800.

RPTL 550(2)A.

CHECK IN FAVOR OF: GREGORY & PAMELA POST

Petition No. 980784 / 1999 - ASSESSOR - Cancel - \$78.53

SBL No. 55.08-8-17 - TOWN OF AMHERST

Acct. No. 112 - \$ 38.82 - County

Acct. No. 132 - \$ 39.71 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
39.71

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY  
ON THE TAX ROLL. THE ASSESSMENT WAS 88,000 AND SHOULD BE  
84,000.

RPTL 550(2)A.

Petition No. 980785 / 1999 - ASSESSOR - Cancel - \$753.61



SBL No. 68.14-7-3.1/471B - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 753.61 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST  
71.61

AMHERST CENTRAL

682.00

CANCEL - CLERICAL ERROR, THE RELEVY SCHOOL WAS PREVIOUSLY  
PAID ON  
THIS PROPERTY. RPTL 550(2)I.

Petition No. 980786 / 1999 - ASSESSOR - Cancel - \$287.81

SBL No. 123.36-6-25 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 132.21 - County

Acct. No. 132 - \$ 155.60 - Town/SpecialDist/School

Charge to : TOWN OF CHEEKTOWAGA  
155.60

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT  
OF 19,764  
FOR THE COUNTY AND 17,788 FOR THE TOWN THAT THIS PARCEL IS  
ENTITLED  
TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 980787 / 1999 - ASSESSOR - Cancel - \$153.38

SBL No. 18.00-1-2 - TOWN OF CLARENCE

Acct. No. 112 - \$ 123.47 - County

Acct. No. 132 - \$ 29.91 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE  
29.91

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE  
AMOUNT OF

18,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR  
FROM THE  
TAX ROLL. RPTL 550(2)C.

Petition No. 980788 / 1999 - ASSESSOR - Cancel - \$166.68

SBL No. 44.00-3-18.22 - TOWN OF CLARENCE

Acct. No. 112 - \$ 115.72 - County

Acct. No. 132 - \$ 50.96 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE  
50.96

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY  
ON THIS PARCEL. THE ASSESSED VALUE WAS 25,000 AND SHOULD BE  
8,000.  
RPTL 550(2)A.

Petition No. 980789 / 1998 - ASSESSOR - Refund - \$89.22

SBL No. 44.00-4-1.2 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 89.22 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE  
89.22

REFUND - CLERICAL ERROR, THE PARCEL WAS CHARGED FOR SEWER  
WHEN NO  
SEWER EXISTS. RPTL 550(2)E.  
CHECK IN FAVOR OF: ALBERT & BONNIE FESTAIUTI

-  
Petition No. 980790 / 1999 - ASSESSOR - Cancel - \$188.18

SBL No. 44.00-4-1.2 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 188.18 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE  
188.18

CANCEL - CLERICAL ERROR, THIS PROPERTY WAS CHARGED FOR A  
SEWER  
CONNECTION WHEN NONE EXISTS. RPTL 550(2)E.

Petition No. 980791 / 1999 - ASSESSOR - Cancel - \$350.51

SBL No. 57.05-6-6 - TOWN OF CLARENCE

Acct. No. 112 - \$ 240.08 - County

Acct. No. 132 - \$ 110.43 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE  
73.19

TRANSIT FIRE PROTECT	22.06
ERIE CO SEWER DIST #5	15.18

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY  
ON THE TAX ROLL. THE ASSESSMENT WAS 310,000 AND SHOULD BE  
275,000.  
RPTL 550(2)A.

Petition No. 980792 / 9899 - ASSESSOR - Refund - \$752.79

SBL No. 57.06-1-3 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 752.79 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE  
32.42

WILLIAMSVILLE CENT	720.37
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REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY  
ON THE TAX ROLL. THE ASSESSMENT WAS 125,000 AND SHOULD BE  
85,100.  
RPTL 550(2)A.  
CHECK IN FAVOR OF: JFD HOLDINGS LP

Petition No. 980793 / 1999 - ASSESSOR - Cancel - \$399.58

SBL No. 57.06-1-3 - TOWN OF CLARENCE

Acct. No. 112 - \$ 273.69 - County

Acct. No. 132 - \$ 125.89 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE  
83.43

TRANSIT FIRE PROTECT	25.15
ERIE CO SEWER DIST #5	17.31

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 125,000 AND SHOULD BE 85,100.  
RPTL 550(2)A.

- Petition No. 980794 / 1999 - ASSESSOR - Cancel - \$360.52

SBL No. 57.13-3-48 - TOWN OF CLARENCE

Acct. No. 112 - \$ 246.94 - County

Acct. No. 132 - \$ 113.58 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE  
75.28

TRANSIT FIRE PROTECT	22.69
ERIE CO SEWER DIST #5	15.61

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 40,000 AND SHOULD BE 4,000.  
RPTL 550(2)A.

Petition No. 980795 / 1999 - ASSESSOR - Cancel - \$677.40

SBL No. 70.19-3-8 - TOWN OF CLARENCE

Acct. No. 112 - \$ 471.24 - County

Acct. No. 132 - \$ 206.16 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE  
147.77

HARRIS HILL FIRE DIST 58.39

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY  
ON THE TAX ROLL. THE ASSESSMENT WAS 220,000 AND IT SHOULD BE  
151,300.  
RPTL 550(2)A.

Petition No. 980796 / 1999 - ASSESSOR - Cancel - \$1,977.01

SBL No. 71.03-5-8.1 - TOWN OF CLARENCE

Acct. No. 112 - \$ 1,375.31 - County

Acct. No. 132 - \$ 601.70 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE  
431.28

HARRIS HILL FIRE DIST 170.42

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY  
ON THE TAX ROLL. THE ASSESSMENT WAS 698,700 AND SHOULD BE  
498,200.  
RPTL 550(2)A.

Petition No. 980797 / 9899 - ASSESSOR - Refund - \$227.75

SBL No. 71.06-1-4 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 227.75 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 227.75

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY  
ON THE TAX ROLL. THE ASSESSMENT WAS 209,400 AND IT SHOULD BE  
194,000.  
RPTL 550(2)A.

CHECK IN FAVOR OF: JOHN J & KATHLEEN FITZPATRICK

- Petition No. 980798 / 1999 - ASSESSOR - Cancel - \$151.84

SBL No. 71.06-1-4 - TOWN OF CLARENCE

Acct. No. 112 - \$ 105.63 - County

Acct. No. 132 - \$ 46.21 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

33.12

HARRIS HILL FIRE DIST 13.09

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY

ON THE TAX ROLL. THE ASSESSMENT WAS 209,400 AND SHOULD BE  
194,000.

RPTL 550(2)A.

Petition No. 980799 / 1999 - ASSESSOR - Cancel - \$261.60

SBL No. 71.06-2-7 - TOWN OF CLARENCE

Acct. No. 112 - \$ 171.50 - County

Acct. No. 132 - \$ 90.10 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

53.78

CLARENCE FIRE DIST 36.32

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY

ON THE TAX ROLL. THE ASSESSMENT WAS 140,000 AND SHOULD BE  
115,000.

RPTL 550(2)A.

Petition No. 980800 / 1999 - ASSESSOR - Cancel - \$652.44

SBL No. 71.12-1-2.11 - TOWN OF CLARENCE

Acct. No. 112 - \$ 399.16 - County

Acct. No. 132 - \$ 253.28 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE  
151.56

CLARENCE FIRE DIST 101.72

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY  
ON THE TAX ROLL. THE ASSESSMENT WAS 170,000 AND SHOULD BE  
100,000.  
RPTL 550(2)A.

Petition No. 980801 / 1999 - ASSESSOR - Cancel - \$2,767.82

SBL No. 71.13-1-12 - TOWN OF CLARENCE

Acct. No. 112 - \$ 1,925.43 - County

Acct. No. 132 - \$ 842.39 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE  
603.81

HARRIS HILL FIRE DIST 238.58

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY  
ON THE TAX ROLL. THE ASSESSMENT WAS 778,600 AND SHOULD BE  
497,900.  
RPTL 550(2)A.

— Petition No. 980802 / 1999 - ASSESSOR - Cancel - \$255.62

SBL No. 72.15-2-5 - TOWN OF CLARENCE

Acct. No. 112 - \$ 205.77 - County

Acct. No. 132 - \$ 49.85 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE  
49.85

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE  
AMOUNT OF  
30,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR  
FROM THE  
TAX ROLL. RPTL 550(2)A.

Petition No. 980803 / 1999 - ASSESSOR - Cancel - \$1,263.13

SBL No. 82.07-1-8 - TOWN OF CLARENCE

Acct. No. 112 - \$ 878.69 - County

Acct. No. 132 - \$ 384.44 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE  
275.56

HARRIS HILL FIRE DIST 108.88

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY

ON THE TAX ROLL. THE ASSESSMENT WAS 483,100 AND SHOULD BE  
355,000.

RPTL 550(2)A.

Petition No. 980804 / 1999 - ASSESSOR - Cancel - \$34.88

SBL No. 82.07-7-4.1 - TOWN OF CLARENCE

Acct. No. 112 - \$ 28.08 - County

Acct. No. 132 - \$ 6.80 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE  
6.80

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE  
AMOUNT OF

29,667 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR  
FROM

THE TAX ROLL. RPTL 550(2)C.

Petition No. 980805 / 1999 - ASSESSOR - Cancel - \$990.64

SBL No. 347.05-1-6.111 - TOWN OF CONCORD

Acct. No. 112 - \$ 827.40 - County

Acct. No. 132 - \$ 163.24 - Town/SpecialDist/School



Charge to : TOWN OF CONCORD  
163.24

CANCEL - CLERICAL ERROR, THIS PARCEL IS ALSO CREATED UNDER  
347.05-1-10. RPTL 550(2)F.

Petition No. 980806 / 1999 - ASSESSOR - Cancel - \$107.80

SBL No. 347.05-1-10 - TOWN OF CONCORD

Acct. No. 112 - \$ 90.04 - County

Acct. No. 132 - \$ 17.76 - Town/SpecialDist/School

Charge to : TOWN OF CONCORD  
17.76

CANCEL - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO AN  
AGRICULTURAL  
EXEMPTION IN THE AMOUNT OF 8,500 THAT WAS OMITTED IN ERROR  
FROM THE  
TAX ROLL. RPTL 550(2)C.

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Petition No. 980807 / 1999 - ASSESSOR - Cancel - \$212.15

SBL No. 347.08-2-1 - TOWN OF CONCORD

Acct. No. 112 - \$ 177.19 - County

Acct. No. 132 - \$ 34.96 - Town/SpecialDist/School

Charge to : TOWN OF CONCORD  
34.96

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE  
AMOUNT OF  
16,725 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR  
FROM  
THE TAX ROLL. RPTL 550(2)C.

Petition No. 980808 / 1999 - ASSESSOR - Refund - \$280.83

SBL No. 220.00-3-31 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 280.83 - Town/SpecialDist/School

Charge to : N.Y.S.STAR PROGRAM 280.83

CANCEL - CLERICAL ERROR, THE STAR EXEMPTION THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL FOR THIS LOT IN THE TRAILER PARK. RPTL 550(2)C.  
CHECK IN FAVOR OF: CT PROPERTIES

Petition No. 980809 / 1999 - ASSESSOR - Cancel - \$120.74

SBL No. 160.09-2-25 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 120.74 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG  
120.74

CANCEL - CLERICAL ERROR, PARCEL WAS CHARGED FOR FRONTAGE ON THE SEWER TAX WHEN THERE IS NO FRONTAGE ON THIS PARCEL. THIS IS A BACK LOT.  
RPTL 550(2)E.

Petition No. 980810 / 1999 - ASSESSOR - Cancel - \$100.04

SBL No. 160.09-2-26 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 100.04 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG  
100.04

CANCEL - CLERICAL ERROR, THIS PARCEL IS CHARGED FOR FRONTAGE ON THE SEWER TAX WHEN THERE IS NO FRONTAGE. PARCEL IS A BACK LOT.  
RPTL 550(2)E.

Petition No. 980811 / 1999 - ASSESSOR - Cancel - \$103.49

SBL No. 160.09-3-3 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 103.49 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG  
103.49

CANCEL - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR FRONTAGE  
ON THE  
SEWER TAX WHEN THERE IS NO FRONTAGE. PARCEL IS A BACK LOT.  
RPTL 550(2)E.

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PETITION NUMBER 980811 CONTINUED

Petition No. 980812 / 1999 - ASSESSOR - Cancel - \$100.04

SBL No. 160.09-3-4 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 100.04 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG  
100.04

CANCEL - CLERICAL ERROR, THIS PARCEL IS CHARGED FOR FRONTAGE  
ON THE  
SEWER TAX WHEN THERE IS NO FRONTAGE. PARCEL IS A BACK LOT.  
RPTL 550(2)E.

Petition No. 980813 / 1999 - ASSESSOR - Refund - \$101.77

SBL No. 160.10-1-26 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 101.77 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG  
101.77

REFUND - CLERICAL ERROR, THIS PARCEL IS BEING CHARGED FOR FRONTAGE

ON THE SEWER TAX WHEN THERE IS NO FRONTAGE. THIS PARCEL IS A BACK LOT.

RPTL 550(2)E.

CHECK IN FAVOR OF: ALBERT P CRETACCI

Petition No. 980814 / 1999 - ASSESSOR - Cancel - \$258.73

SBL No. 160.10-4-15 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 258.73 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG  
258.73

CANCEL - CLERICAL ERROR, THIS PARCEL IS CHARGED FOR FRONTAGE ON THE

SEWER TAX WHEN THERE IS NO FRONTAGE. THIS PARCEL IS A BACK LCT.

RPTL 550(2)E.

Petition No. 980815 / 1999 - ASSESSOR - Cancel - \$258.73

SBL No. 160.10-4-16 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 258.73 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG  
258.73

CANCEL - CLERICAL ERROR, THIS PARCEL IS BEING CHARGED FRONTAGE ON

THE SEWER TAX WHEN THERE IS NO FRONTAGE. THIS PARCEL IS A BACK LOT.

RPTL 550(2)E.

-  
Petition No. 980816 / 1999 - ASSESSOR - Cancel - \$258.73

SBL No. 160.10-4-17 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 258.73 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG  
258.73

CANCEL - CLERICAL ERROR, THIS PARCEL IS BEING CHARGED  
FRONTAGE ON THE  
SEWER TAX WHEN THERE IS NO FRONTAGE. THIS PARCEL IS A BACK  
LOT.  
RPTL 550(2)E.

Petition No. 980817 / 1999 - ASSESSOR - Refund - \$258.73

SBL No. 160.10-5-11 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 258.73 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG  
258.73

REFUND - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR FRONTAGE  
ON THE  
SEWER TAX WHEN THERE IS NO FRONTAGE. THIS PARCEL IS A BACK  
LOT.  
RPTL 550(2)E.  
CHECK IN FAVOR OF: JOHN W PIATKO

Petition No. 980818 / 1999 - ASSESSOR - Cancel - \$258.73

SBL No. 160.10-5-12 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 258.73 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG  
258.73

CANCEL - CLERICAL ERROR, THIS PARCEL IS CHARGED FOR FRONTAGE  
ON THE

SEWER TAX WHEN THERE IS NO FRONTAGE. PARCEL IS A BACK LOT.  
RPTL 550(2)E.

Petition No. 980819 / 1999 - ASSESSOR - Cancel - \$120.74

SBL No. 160.09-3-5 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 120.74 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG  
120.74

CANCEL - CLERICAL ERROR, PARCEL IS CHARGED FOR FRONTAGE ON  
THE SEWER

TAX WHEN NO FRONTAGE EXISTS. PARCEL IS A BACK LOT. RPTL  
550(2)E.

Petition No. 980820 / 1999 - ASSESSOR - Cancel - \$903.45

SBL No. 181.00-2-2 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 903.45 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG  
903.45

CANCEL - CLERICAL ERROR, THIS PARCEL IS DUPLICATED UNDER SBL  
169.20-1-7. RPTL 550(2)F.

Petition No. 980821 / 1999 - ASSESSOR - Cancel - \$18.62

SBL No. 246.16-1-21 - TOWN OF HOLLAND

Acct. No. 112 - \$ 18.62 - County

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

Charge to :  
CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION FOR THE COUNTY  
PORTION

OF THE TAXES WAS MISCALCULATED. THE AMOUNT WAS 2284 AND SHOULD BE  
4567. RPTL 550(2)B.

Petition No. 980822 / 1999 - ASSESSOR - Cancel - \$150.00

SBL No. 93.00-2-2.14 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 150.00 - Town/SpecialDist/School

Charge to : ERIE CO SEWER #4 150.00

CANCEL - CLERICAL ERROR, THERE IS NO CONNECTION FOR A SEWER NONE IS  
AVAILABLE. SEWER TAX IS TO BE REMOVED. RPTL 550(2)E.

Petition No. 980823 / 1999 - ASSESSOR - Cancel - \$129.51

SBL No. 93.20-3-41 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 129.51 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER  
129.51

CANCEL - CLERICAL ERROR, THIS PARCEL IS CHARGED FOR 3 UNITS OF REFUSE  
SEWER. PARCEL IS A TWO FAMILY HOME AND SHOULD BE CHARGED FOR 2 UNITS.  
RPTL 550(2)E.

Petition No. 980824 / 1999 - ASSESSOR - Cancel - \$265.65

SBL No. 93.13-3-12 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 265.65 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER  
265.65

CANCEL - CLERICAL ERROR, PARCEL WAS CHARGED FOR THREE UNITS  
OF REFUSE  
AND SEWER. PARCEL IS ACTUALLY A TWO FAMILY HOME AND SHOULD BE  
CHARGED  
FOR TWO UNITS OF SERVICE. RPTL 550(2)E.

Petition No. 980825 / 1999 - ASSESSOR - Cancel - \$116.65

SBL No. 95.00-2-16 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 116.65 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER  
116.65

CANCEL - CLERICAL ERROR, THIS PARCEL IS OVERCHARGED FOR  
REFUSE AND  
WATER. PARCEL WAS CHARGED FOR A TWO FAMILY HOME WHEN IN FACT  
IT IS  
A SINGLE FAMILY. RPTL 550(2)E.

-  
Petition No. 980826 / 1999 - ASSESSOR - Cancel - \$116.66

SBL No. 95.00-3-11 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 116.66 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER  
116.66

CANCEL - CLERICAL ERROR, THIS PARCEL IS OVERCHARGED FOR  
REFUSE AND  
SEWER. PARCEL IS CODED A THREE UNIT WHEN IN FACT IT IS ONLY A  
TWO  
FAMILY HOME. RPTL 550(2)E.

Petition No. 980827 / 1999 - ASSESSOR - Refund - \$116.65



SBL No. 104.08-2-20 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 116.65 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER  
116.65

. REFUND - CLERICAL ERROR, THIS PARCEL WAS OVERCHARGED FOR  
REFUSE AND  
WATER. PARCEL WAS CODED FOR A TWO FAMILY HOME WHEN IN FACT IT  
IS A  
SINGLE FAMILY HOME. RPTL 550(2)E.  
CHECK IN FAVOR OF: DEBORAH WILLADSEN

Petition No. 980828 / 1999 - ASSESSOR - Cancel - \$461.31

SBL No. 104.11-10-18 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 461.31 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER  
231.31

ECSD #4

230.00

CANCEL - CLERICAL ERROR, OVERCHARGED FOR UNITS OF SERVICE FOR  
REFUSE  
AND SEWER TAX. THIS PARCEL IS CODED AS A 5 UNIT WHEN IN FACT  
THE  
PARCEL IS A THREE UNIT. RPTL 550(2)E.

Petition No. 980829 / 1999 - ASSESSOR - Refund - \$230.65

SBL No. 104.15-10-4 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 230.65 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER  
230.65

REFUND - CLERICAL ERROR, PARCEL WAS OVERCHARGED FOR REFUSE AND SEWER

TAX. PARCEL IS CODED AS A TWO FAMILY WHEN IN FACT IT IS A SINGLE

FAMILY HOME. RPTL 550(2)E  
CHECK IN FAVOR: TOMMY BARNUM

Petition No. 980830 / 1996 - ASSESSOR - Refund - \$184.10

SBL No. 115.11-21-13 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 184.10 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER  
99.10

ECSD #4 85.00\_

PETITION NUMBER 980830 CONTINUED REFUND - CLERICAL ERROR, THE PARCEL IS OVERCHARGED FOR SEWER AND

REFUSE. PARCEL IS CODED AS TWO FAMILY WHEN IT SHOULD BE A SINGLE

FAMILY. RPTL 550(2)E.  
CHECK IN FAVOR OF: ERNEST RETZEL

Petition No. 980831 / 1997 - ASSESSOR - Refund - \$218.71

SBL No. 115.11-21-13 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 218.71 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER  
103.71

ECSD #4 115.00

REFUND - CLERICAL ERROR, THIS PARCEL IS OVERCHARGED FOR SEWER AND

REFUSE. PARCEL IS CODED AS A TWO FAMILY WHEN IN FACT IT IS A SINGLE

FAMILY HOME. RPTL 550(2)E.  
CHECK IN FAVOR OF: ERNEST & SUSAN REITZEL

Petition No. 980832 / 1998 - ASSESSOR - Refund - \$219.08

SBL No. 115.11-21-13 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 219.08 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER  
104.08

ECSD #4

115.00

REFUND - CLERICAL ERROR, THIS PARCEL IS OVERCHARGED FOR  
REFUSE AND  
SEWER. PARCEL WAS CODED AS A TWO FAMILY HOME WHEN IN FACT IT  
IS  
A SINGLE FAMILY HOME. RPTL 550(2)E.  
CHECK IN FAVOR OF: ERNEST REITZEL

Petition No. 980833 / 1999 - ASSESSOR - Cancel - \$279.50

SBL No. 115.15-2-1 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 279.50 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER  
279.50

CANCEL - CLERICAL ERROR, THIS PARCEL IS OVERCHARGED FOR SEWER  
AND  
REFUSE. PARCEL IS CODED AS A TWO FAMILY WHEN IN FACT IT IS A  
SINGLE  
FAMILY HOME. RPTL 550(2)E.

Petition No. 980834 / 1999 - ASSESSOR - Cancel - \$243.51

SBL No. 115.27-1-27 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 243.51 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER  
128.51

ECSO #4

115.00

CANCEL - CLERICAL ERROR, THIS PARCEL IS OVERCHARGED FOR SEWER  
AND  
REFUSE. PARCEL WAS CODED AS A THREE UNIT WHEN IN FACT IT IS  
ONLY A  
TWO FAMILY HOME. RPTL 550(2)E.

- Petition No. 980835 / 1999 - ASSESSOR - Cancel - \$156.03

SBL No. 115.57-2-25 - TOWN OF LANCASTER

Acct. No. 112 - \$ 114.05 - County

Acct. No. 132 - \$ 41.98 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER  
41.98

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE  
AMOUNT OF  
14,000 THAT THIS PARCEL IS ENTITLED WAS OMITTED IN ERROR FROM  
THE  
TAX ROLL. RPTL 550(2)C.

Petition No. 980836 / 1997 - ASSESSOR - Refund - \$104.71

SBL No. 116.00-2-22 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 104.71 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER  
104.71

REFUND - CLERICAL ERROR, PARCEL WAS OVERCHARGED FOR WATER AND  
REFUSE.  
THIS PARCEL WAS CODED AS A TWO FAMILY WHEN IN FACT IT IS A  
SINGLE  
FAMILY HOME. RPTL 550(2)E.  
CHECK IN FAVOR OF: NANCY BURZYNSKI

Petition No. 980837 / 1998 - ASSESSOR - Refund - \$105.07

SBL No. 116.00-2-22 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 105.07 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER  
105.07

REFUND - CLERICAL ERROR, PARCEL WAS OVERCHARGED FOR REFUSE  
AND WATER.

PARCEL WAS CODED AS A TWO FAMILY WHEN IN FACT IT IS A SINGLE  
FAMILY

HOME. RPTL 550(2)E.

CHECK IN FAVOR OF: NANCY BURZYNSKI

Petition No. 980838 / 1999 - ASSESSOR - Cancel - \$116.66

SBL No. 117.11-1-9 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 116.66 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER  
116.66

CANCEL - CLERICAL ERROR, THIS PARCEL IS OVERCHARGED FOR WATER  
AND

REFUSE. PARCEL IS CHARGED FOR THREE UNITS WHEN IN FACT IT IS  
A TWO

FAMILY. RPTL 550(2)E.

Petition No. 980839 / 1999 - ASSESSOR - Cancel - \$116.66

SBL No. 117.11-1-11 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 116.66 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER  
116.66

CANCEL - CLERICAL ERROR, PARCEL WAS OVERCHARGED FOR WATER AND REFUSE.

PARCEL WAS CODED AS A THREE UNIT WHEN IN FACT THIS IS A TWO FAMILY. -

PETITION NUMBER 980839 CONTINUED RPTL 550(2)E.

Petition No. 980840 / 1999 - ASSESSOR - Cancel - \$314.34

SBL No. 126.07-1-59 - TOWN OF LANCASTER

Acct. No. 112 - \$ 180.09 - County

Acct. No. 132 - \$ 134.25 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER  
134.25

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 16,432

WAS MISCALCULATED. THE CORRECT AMOUNT IS 41,080. RPTL 550(2)E.

Petition No. 980841 / 1999 - ASSESSOR - Cancel - \$3,025.47

SBL No. 65.20-1-1.1 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 3,025.47 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA  
3,025.47

CANCEL - CLERICAL ERROR, THE SANITARY SEWER CHARGE FOR THIS PARCEL

IS INVALID. THERE IS NO WATER USAGE. RPTL 550(2)E.

Petition No. 980842 / 1999 - ASSESSOR - Cancel - \$281.51

SBL No. 126.07-3-16 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 281.51 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER  
281.51

CANCEL - CLERICAL ERROR, THIS PARCEL IS OVERCHARGED FOR  
REFUSE AND  
SEWER. PARCEL IS CODED AS A THREE UNIT WHEN IN FACT IT IS A  
TWO  
FAMILY. RPTL 550(2)E.

Petition No. 980843 / 1999 - ASSESSOR - Cancel - \$381.69

SBL No. 47.00-2-3 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 276.35 - County

Acct. No. 132 - \$ 105.34 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD  
105.34

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY  
ON THE TAX ROLL. THE ASSESSMENT WAS 480,000 AND SHOULD BE  
439,000.  
RPTL 550(2)A.

Petition No. 980844 / 1999 - ASSESSOR - Cancel - \$124.22

SBL No. 153.14-7-1 - TOWN OF ORCHARD PARK

Acct. No. 112 - \$ 80.20 - County

Acct. No. 132 - \$ 44.02 - Town/SpecialDist/School

Charge to : TOWN OF ORCHARD PARK  
44.02

CANCEL - CLERICAL ERROR, PARCEL IS OWNED BY THE STATE OF NEW  
YORK.

THIS PARCEL IS PAYS ONLY SPECIAL ASSESSMENTS. THE EXEMPTION  
FOR THIS \_

PETITION NUMBER 980844 CONTINUED PARCEL WAS OMITTED IN  
ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 980845 / 1999 - ASSESSOR - Cancel - \$144.07

SBL No. 53.14-4-1 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 144.07 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA  
144.07

CANCEL - UNLAWFUL ENTRY, PARCEL IS WHOLLY EXEMPT FROM TAXES.  
THIS IS

A CEMETARY AND BELONGS IN THE WHOLLY EXEMPT PORTION. RPTL  
550(7)A.

Petition No. 980846 / 1999 - ASSESSOR - Cancel - \$5,166.27

SBL No. 53.78-1-12.12 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 1,096.88 - County

Acct. No. 132 - \$ 4,069.39 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA  
1,253.71

KEN-TON UNION FREE	2,746.20
BRIGHTON FIRE DIST	69.48

CANCEL - CLERICAL ERROR, PARCEL IS WHOLLY EXEMPT FROM TAXES  
EXCEPT

SANITARY SEWER. THE EXEMPTION WAS OMITTED IN ERROR FROM THIS  
PARCEL

RPTL 550(2)C.

Petition No. 980847 / 1999 - ASSESSOR - Cancel - \$554.96

SBL No. 53.70-1-18 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County



Acct. No. 132 - \$ 554.96 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA  
554.96

CANCEL - UNLAWFUL ENTRY, PROPERTY IS WHOLLY EXEMPT FROM TAXES. THIS IS OWNED BY THE DIOCESE OF BUFFALO. RPTL 550(7)A.

Petition No. 980848 / 1999 - ASSESSOR - Cancel - \$95.62

SBL No. 53.69-1-1.11 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 95.62 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA  
95.62

CANCEL - UNLAWFUL ENTRY, PARCEL IS WHOLLY EXEMPT FROM TAXES. THIS IS OWNED BY THE DIOCESE OF BUFFALO. RPTL 550(7)A.

Petition No. 980849 / 1999 - ASSESSOR - Cancel - \$4,293.02

SBL No. 65.17-1-3 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 4,293.02 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA  
4,293.02

CANCEL - UNLAWFUL ENTRY, PARCEL IS WHOLLY EXEMPT FROM TAXES. PARCEL -

PETITION NUMBER 980849 CONTINUED IS OWNED BY ERIE COUNTY WATER AUTHORITY. RPTL 550(7)A.

Petition No. 980850 / 1999 - ASSESSOR - Cancel - \$135.46

SBL No. 66.22-6-22 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 71.71 - County

Acct. No. 132 - \$ 63.75 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA  
63.75

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE  
AMOUNT OF  
6,480 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR  
FROM THE  
TAX ROLL. RPTL 550(2)C.

Petition No. 980851 / 1999 - ASSESSOR - Cancel - \$944.29

SBL No. 66.62-3-19 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 443.98 - County

Acct. No. 132 - \$ 500.31 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA  
47.47

KEN-TON UNION FREE 452.84

CANCEL - CLERICAL ERROR, THE RPTL 520 THAT THIS PARCEL WAS  
CHARGED TO  
WAS MISCALCULATED. THE WRONG EXEMPTION AMOUNT WAS USED TO  
CALCULATE  
THE TAX. RPTL 550(2)B.

Petition No. 980852 / 1999 - ASSESSOR - Cancel - \$958.64

SBL No. 79.22-5-22 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 403.95 - County

Acct. No. 132 - \$ 554.69 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA  
436.06

KENILWORTH FIRE DIST 118.63

CANCEL -CLERICAL ERROR, THIS PARCEL IS WHOLLY EXEMPT FROM TAXES

EXCEPT SANITARY SEWER TAX. THE EXEMPTION WAS OMITTED IN ERROR FROM

THE TAX ROLL. PARCEL IS OWNED BY KENILWORTH FIRE DISTRICT.  
RPTL 550(2)C

Petition No. 980853 / 1999 - ASSESSOR - Refund - \$125.07

SBL No. 134.65-5-33.1 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 57.29 - County

Acct. No. 132 - \$ 67.78 - Town/SpecialDist/School

Charge to : TOWN OF WEST SENECA  
67.78

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF

4,905 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE

TAX ROLL. RPTL 550(2)C.  
CHECK IN FAVOR OF: WM & ANN CURRY

— Petition No. 980854 / 1999 - ASSESSOR - Cancel - \$203.98

SBL No. 134.69-1-38.1 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 98.42 - County

Acct. No. 132 - \$ 105.56 - Town/SpecialDist/School

Charge to : TOWN OF WEST SENECA  
105.56

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF

8,425 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE

TAX ROLL. RPTL 550(2)C.

Petition No. 980855 / 1999 - ASSESSOR - Cancel - \$559.67

SBL No. 144.09-11-48 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 559.67 - Town/SpecialDist/School

Charge to : TOWN OF WEST SENECA  
559.67

CANCEL - CLERICAL ERROR, THIS PARCEL WAS OVERCHARGED ON THE SEWER

TAX. THE GALLONAGE FIGURES USED WERE 553,000 AND THE FIGURE SHOULD

HAVE BEEN 53,000. RPTL 550(2)E.

Petition No. 980857 / 1999 - ASSESSOR - Cancel - \$92.22

SBL No. 113.71-1-13.1 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 92.22 - Town/SpecialDist/School

Charge to : TOWN OF CHEEKTOWAGA  
92.22

CANCEL - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR A SIDEWALK TAX

WHEN NONE EXISTS. RPTL 550(2)E

Petition No. 980858 / 1999 - ASSESSOR - Cancel - \$106.99

SBL No. 160.09-2-27 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 106.99 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG  
106.99

CANCEL - CLERICAL ERROR, THIS PROPERTY IS BEING CHARGED FOR FRONTAGE

ON THE SEWER TAX. THIS IS A BACK LOT AND HAS NO FRONTAGE.  
RPTL 550(2)E

(4-0) Legislator Fitzpatrick absent. Chairman Swanick Present as Ex-Officio Member.

**COUNTY EXECUTIVE**

WHEREAS, the following grant programs are included in Book B of the 1999 Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with grantor agencies for the purpose of receiving grants, following review and approval by the Director of Budget and Management with respect to the availability of Federal, State, County and other local source funding for the following programs which commence on January 1, 1999:

<u>Department</u>	<u>Grant Program</u>	<u>1999 Budget Book B Page No.</u>
110 - Co. Exec.	STOP-DWI Program	13
110 - Co. Exec.	Community Coordinating Council on Children and Families	13
140 - Dist. Atty.	Local Law Enforcement Block Grant	31
140 - Dist. Atty.	STOP-DWI Program	31
650 - Central Police Services	Arson Laboratory Improvement Program	65
150 - Sheriff	Public Awareness is Prevention	81
150 - Sheriff	COPS - Universal Hiring Grant	82
150 - Sheriff	COPS - Communications	82
150 - Sheriff	COPS - Universal Hiring Grant II	82
260 - Probation	Intensive Supervision Program	109

<u>Department</u>	<u>Grant Program</u>	<u>1999 Budget Book B Page No.</u>
260 - Probation	Juvenile Intensive Supervision Program	109
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\*Begins on 2/1/99

<u>Department</u>	<u>Grant Program</u>	<u>1999 Budget Book B Page No.</u>
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and be it further

RESOLVED, that certified copies of this resolution be forwarded to the following departments: County Executive, District Attorney, Central Police Services, Sheriff, Health, Probation, Social Services, Environment and Planning, Youth Services, Department of Law and the Division of Budget, Management and Finance.  
(4-0) Legislator Fitzpatrick absent.

**AS AMENDED**

4. Item Page - 1999 (Intro 2-6)  
PEOPLES, GREENAN, LARSON, RANZENHOFER, MARSHALL, WEINSTEIN and CHASE.

WHEREAS, The Erie County Legislature has consistently shown leadership in the field of regionalism and consolidation with the goal of reducing the cost of government and improving services for the taxpayers of the county, and

WHEREAS, In Deloitte and Touche's year end report on the county's finances they have identified possible cost saving opportunities through regionalization, and

WHEREAS, One area identified is workers' compensation, with the recommendation being the exploration of "consolidation of claims paying processes and various other administrative functions" involving Erie County and various municipalities, and

WHEREAS, The other area mentioned is the investment of idle funds, with possibility of Erie County and municipalities pooling available cash for increased investment purchasing power, and

WHEREAS, Erie County and many other municipal governments within the county are self-insured for workers' compensation, presenting another area of possible consolidation and regional cooperation that could yield savings to county and municipal taxpayers, and

WHEREAS, savings could be realized through the consolidation of claims paying processes and various other administrative functions. In addition, savings could also be realized from: the ability to put more effective claim review and challenge process into effect and the ability to establish a countywide rehabilitation and back-to-work program(s), and

WHEREAS, This Honorable Body does believe that both areas should be given thorough and timely investigation as to their feasibility,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby reaffirm its continuing commitment to cooperative regional initiatives that result in better services and lower costs for the taxpayers of Erie County, and be it further

RESOLVED, That this Honorable Body does hereby request that representatives from the Erie County Division of Budget, Management and Finance, the Erie County Attorney's Office, and the Erie County Comptroller's Office develop a response within 30 days of passage of this resolution as to the feasibility and possible cost savings of implementing Deloitte and Touche's recommendations for regionalizing workers' compensation and investment of idle funds, and be prepared to discuss said response at a future meeting of the Legislature's Finance and Management Committee, and be it further

RESOLVED, that the consolidation of municipal workers' compensation self insured programs into one countywide program could yield potential savings as well as a higher quality of care for injured employees, and be it further

RESOLVED, that the Erie County Legislature does hereby express its support for the investigation of the possible regionalization of governmental self-insured workers' compensation insurance programs into one countywide self-insured program, and be it further

RESOLVED, that certified copies of this resolution be sent to Erie County Executive Dennis Gorski, Erie County Division of Budget, Management and Finance Director Kenneth Kruly, Erie County Attorney Kenneth Shoetz, Erie County Comptroller Nancy Naples, and the Association of Erie County Governments.

(4-0) Legislator Fitzpatrick absent. Chairman Swanick Present as Ex-Officio Member.

5. Item Page - 1999 (Intro 3-17)

**DEMOCRATIC MAJORITY**

WHEREAS, the Erie County Legislature maintains an interest in reducing the tax burden on homeowners throughout Erie County and have demonstrated this fact through a three-year freeze on the county's property tax levy, and through a reduction in the tax levy authorized through adoption of the 1999 Erie County budget, and

WHEREAS, the tax burden among homeowners remains high, particularly among segments of our population least able to afford the cost, including senior citizens, and

WHEREAS, New York State has authorized local governments to increase the maximum allowable income level for residents to qualify for a county real property tax exemption. and

WHEREAS, because in addition to other sources, the county is reliant upon the property tax as a means by which the county's budget is brought into balance, it would be necessary for the Legislature to receive testimony from the Division of Budget, Management and Finance to ascertain the financial impact upon the county of raising the income ceiling for qualification for this exemption,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby reaffirm its long-standing interest in minimizing the tax burden placed upon property owners in Erie County, and be it further



RESOLVED, that this Honorable Body does hereby call upon representatives of the Erie County Division of Budget, Management and Finance and the Erie County Division of Real Property Taxation to appear at a future meeting of the Legislature's Finance and Management Committee to discuss the financial impact upon Erie County of increasing the maximum allowable income level for residents to qualify for an Erie County senior citizen real property tax exemption, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis T. Gorski, Budget Director Kenneth C. Kruly and to Deputy Finance Commissioner for Real Property Taxation Joseph Maciejewski.

(4-0) Legislator Fitzpatrick absent.

6. Item Page - 1999 (Comm. 4E-24)

**COMPTROLLER**

RESOLUTION NO. \_\_\_\_-1999

BOND RESOLUTION DATED \_\_\_\_\_, 1999

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE IMPROVEMENT OF COUNTY COURT FACILITIES, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,000,000, APPROPRIATING \$1,000,000 IN ADDITION TO \$3,000,000 PREVIOUSLY APPROPRIATED THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE COUNTY TO FINANCE SAID APPROPRIATION IN ADDITION TO \$3,000,000 BONDS PREVIOUSLY AUTHORIZED.

(Introduced) February 16, 1999

(Adopted) \_\_\_\_\_, 1999

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County is hereby authorized to undertake preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning improvement of County court facilities. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$4,000,000, and \$1,000,000 is hereby appropriated therefor pursuant to the duly adopted 1999

Capital Budget for the County, as hereby amended, in addition to \$3,000,000 previously appropriated therefor. The plan of financing includes the issuance of \$1,000,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, in addition to \$3,000,000 bonds previously authorized, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes as the same shall become due and payable.

Section 2. Bonds of the County in the principal amount of \$1,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The period of probable usefulness for the specific object or purpose for which the \$1,000,000 bonds herein authorized are to be issued, within the limitations of §11.00 a. 62(2<sup>nd</sup>) of the Law, is five (5) years.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the respective amounts of bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if:

- (1) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (2) the provisions of law which should be complied with at the date of the publication of this Resolution or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (3) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.

(4-0) Legislator Fitzpatrick absent. Chairman Swanick Present as Ex-Officio Member.

7. Item Page - 1999 (Comm. 5D-16)  
DPW

WHEREAS, Pursuant to New York State Highway Law, Section 118A, the Deputy Commissioner of Public Works, Division of Highways, recommends to abandon to the Town of Aurora a portion of existing right-of-way on Jewett Holmwood Road, CR 368, in the Town of Aurora that is no longer needed for highway purposes, and

NOW, THEREFORE BE IT

RESOLVED, that upon the recommendation of the Deputy Commissioner of Public Works, Division of Highways, all of the existing interest the County of Erie may have in SBL 175.00-1-32 as shown on the attached map be conveyed to the Town of Aurora for consideration of \$1.00 as determined by the Division of Budget, Management and Finance, payable to the County of Erie. The area of the conveyance being 2.1 acres, more or less, and be it further

RESOLVED, that the County Executive be authorized to execute and acknowledge in the name of the County and affix the seal of the County to a quit claim deed of the aforementioned land so to be conveyed, and be it further

RESOLVED, that the Clerk of the County Legislature be instructed to forward five (5) certified copies of this resolution to the Deputy Commissioner - Highways.

(4-0) Legislator Fitzpatrick absent.

8. Item Page - 1999 (Comm. 5D-19)  
DPW

WHEREAS, Pursuant to New York State Highway Law, Section 118A, the Deputy Commissioner of Public Works, Division of Highways, recommends to abandon to the adjacent property owner, subject to all adjacent owners waiving any interest in the property, a portion of existing right-of-way on Milestrip Road, Part 3, S.H. 9537, in the Town of Hamburg that is no longer needed for highway purposes,

NOW, THEREFORE BE IT

RESOLVED, that a portion of the existing right-of-way of Milestrip Road known as Part 3, S.H. No. 9537, in the Town of Hamburg as more fully described as follows: "All that piece or parcel of property hereinafter designated as Parcel No. 254, situate in Lot No. 37, Township No. 10, Range No. 7, of the Buffalo Creek Reservation in the Town of Hamburg, County of Erie, State of New York described as follows: PARCEL NO. 254 - at a point on the existing southerly highway boundary of Milestrip Road, C.R. No. 460A, S.H. No. 9537 as shown on File No. SK300-32R, Parcel No. 4 at the intersection of said southerly highway boundary and the division line between the property of the County of Erie (Reputed Owner) on the east, and the property of 9274 Group, Inc. (Reputed Owner) on the west, said point being 50.00± feet southerly measured radially from Station 38+05.69± of the existing centerline of Milestrip Road, S.H. 9537, formerly C.R. 460; thence southeasterly through the property of the County of Erie (Reputed Owner) as shown on File No. SK 300-32R, Parcel No. 4 on a curve to the right having a radius of 832.00' feet a distance of 255.70' feet to a point, said point being 100.00± feet southerly measured at right angles from Station 40+56.30± of said new centerline; thence westerly along the division line between the property of the County of Erie as shown on File No. SK300-32R, Parcel No. 4 on the north and properties of Hamburg Peripheral, Ltd. (Reputed Owner) and General Mills (Reputed Owner) on the south a distance of 79.79'± feet to a point being 133.96'+- feet southerly measured at right angles from Station 39+85.34± of said existing centerline; thence southwesterly along the division line between the property of the County of Erie as shown on File No. SK300-32R, Parcel No. 4 (Reputed Owner) on the north and property of Hamburg Peripheral, Ltd. (Reputed Owner) on the south a distance of 135.02± feet to a point being 235.38'+ feet southerly measured at right angles from Station 38+94.95± of said new centerline; thence northerly along the division line between the property of the County of Erie (Reputed Owner) as shown on File No. SK300-32R, Parcel No. 4 on the east and property of 9274 Group, Inc. (Reputed Owner) as shown on File No. SK300-32R, Parcel No. 4 on the west a distance of 205.28'± feet to the point or place of beginning, being 20,504.17± square feet or 0.47 acres of land more or less", be abandoned and conveyed to the adjacent land owner, 9274 GROUP, INC., for consideration of \$40,000 as

determined by the Division of Budget, Management and Finance, payable to the County of Erie, and be it further

RESOLVED, that such conveyance is subject to the prior waiver of any interest in such lands by all other adjacent property owners, and be it further

RESOLVED, that the County Executive be authorized to execute and acknowledge in the name of the County and affix the seal of the County to a quit claim deed of the aforementioned land so to be conveyed, and be it further

RESOLVED, that the Clerk of the County Legislature be instructed to forward five (5) certified copies of this resolution to the Deputy Commissioner - Highways  
(4-0) Legislator Fitzpatrick absent.

9. Item Page - 1999 (Comm. 5E-8 A)

**COMPTROLLER**

WHEREAS, the County's authority to arrange for the underwriting of bonds or notes at private sale through negotiated agreement expires on June thirty, nineteen ninety-nine; and

WHEREAS, Senate Bill S. 631 and Assembly Bill A. 333, now pending before the New York State Legislature, would authorize extension of the County's authority to arrange for underwriting of bonds or notes at private sale through negotiated agreement through June thirty, two thousand;

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

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill No. 333, entitled "AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie."

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

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

Such request is made by the chief executive officer of such municipality concurred in by a majority of the total membership of the local legislative body.

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

(Comm. 5E-8 B)

WHEREAS, the County's authority to arrange for the underwriting of bonds or notes at private sale through negotiated agreement expires on June thirty, nineteen ninety-nine; and

WHEREAS, Senate Bill S. 631 and Assembly Bill A. 333, now pending before the New York State Legislature, would authorize extension of the County's authority to arrange for underwriting of bonds or notes at private sale through negotiated agreement through June thirty two thousand;

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

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Senate Bill No. 631, entitled "AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie."

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

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

Such request is made by the chief executive officer of such municipality concurred in by a majority of the total membership of the local legislative body.

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

(4-0) Legislator Fitzpatrick absent.

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

**COMPTROLLER**

RESOLUTION NO. \_\_\_-1999

BOND RESOLUTION DATED MARCH \_\_, 1999

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING VARIOUS CAPITAL PROJECTS INCLUDED IN THE 1999 CAPITAL BUDGET OF THE COUNTY, STATING THE TOTAL ESTIMATED MAXIMUM COST OF SUCH PROJECTS IS \$9,152,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$9,152,000 BONDS OF THE COUNTY TO

FINANCE SAID APPROPRIATION; AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF CERTAIN OF SUCH CAPITAL PROJECTS AS INDICATED HEREIN, OR REDEMPTION OF ANY NOTES AND BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID NOTES AND BONDS.

(Introduced) March 2, 1999

(Adopted) \_\_\_\_\_, 1999

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to undertake the various capital projects as described in column A of the attached schedule, each as more fully described in column F of the attached schedule and the duly adopted 1999 Capital Budget for the County. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 1999 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The respective estimated maximum costs of (a) the specific objects or purposes set forth in rows 2, 8-10, and 12-14 of the attached schedule, and (b) the classes of objects or purposes set forth in rows 1, 3-7 and 11 of the attached schedule, including preliminary costs and costs incidental thereto and to the financing thereof, is set forth in column B of the attached schedule, and said respective amounts are hereby appropriated therefor pursuant to the duly adopted 1999 Capital Budget for the County. The plan of financing includes the issuance of \$9,152,000 aggregate principal amount of bonds of the County to finance said appropriations, the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any amounts received by the County from the United States of America and/or the State of New York are hereby authorized to be expended, in the respective amounts set forth in column D of the attached schedule, towards the cost of the applicable specific objects or purposes or classes of objects or purposes or the redemption of any notes and bonds issued therefor or to be budgeted as an offset to the taxes for the repayment of the principal of and interest on said notes and bonds.

Section 2. Bonds of the County in the respective principal amounts set forth in column C of the attached schedule are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law") to finance said appropriations.

Section 3. The respective periods of probable usefulness for said specific objects or purposes and classes of objects or purposes for which said \$9,152,000 bonds herein authorized are to be issued, within the limitations of §11.00 a. of the Law, is set forth in column E of the attached schedule.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the respective specific objects or purposes and classes of objects or purposes described in Section 1 hereof, prior to the issuance of the bonds or bond anticipation notes herein authorized, out of funds available in the General Fund of the County on an interim basis, which respective amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County pursuant to this Resolution, in the respective maximum amounts of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the respective amounts of bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest



by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.

(4-0) Legislator Fitzpatrick absent.

11. Item Page - 1999 (Comm. 5E-17)  
**COUNTY EXECUTIVE**

WHEREAS, in the 1999 Erie County Budget, Department 300 - Cultural Agencies, the Langston Hughes Center has an appropriation of \$20,000, and

WHEREAS, the programs performed by the Langston Hughes Center would be better reflected under the Public Benefit category.

**NOW, THEREFORE, BE IT**

RESOLVED, that the Erie County Legislature hereby approves the transfer of \$20,000 for the Langston Hughes Center from Department 300- Cultural Agencies, (110 920300830227) in the 1999 Budget to Department 301- Agency Payments and Grants - Public Benefit Services (110 921301830227) for the Langston Hughes Center, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive's Office, Division of Budget, Management and Finance, the Department of Law and Dorothy Hill, Executive Director of the Langston Hughes Center.

(4-0) Legislator Fitzpatrick absent.

CRYSTAL D. PEOPLES  
CHAIRPERSON

MS. PEOPLES moved to separate items 6, 9, and 10. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

MS. PEOPLES moved the adoption of the balance of the report. MR. FITZPATRICK seconded.

CARRIED UNANIMOUSLY.

CHAIRMAN SWANICK directed that item 6 be received and filed.

MR. GREENAN moved to refer item 6 to the FINANCE & MANAGEMENT COMMITTEE. MS. CHASE seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

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

DEFEATED.

Item no. 6 was RECEIVED AND FILED.

MS. PEOPLES moved to approve item no. 9. MR. HOLT seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

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

CARRIED UNANIMOUSLY.

MS. PEOPLES moved to approve item no. 10. MR. KUWIK seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

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

CARRIED UNANIMOUSLY.

Item 11 - MRS. FISHER presented the following and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 102

March 11, 1999

HEALTH/MENTAL HEALTH  
COMMITTEE  
REPORT NO. 4

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

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

✓ a. Item Page -1999 (Comm. 4D-5)  
**ECMC: Notice of Board of Managers Meeting Held 2/11/99 & Minutes of Board of Managers Meeting Held 1/21/99**  
(6-0) Chairman Swanick Present as Ex-Officio Member

✓ b. Item Page -1999 (Comm. 4M-10)  
**THE COMMUNITY HEALTH CENTER OF BUFFALO, INC: Community Health Center of Buffalo Initiative**  
(6-0) Chairman Swanick Present as Ex-Officio Member

✓ c. Item Page -1999 (Comm. 4M-11)  
**ERIE COUNTY MENTAL HYGIENE COMMUNITY SERVICES BOARD: Notice of Meeting to be Held 2/18/99 & Minutes of Meeting Held 1/21/99**  
(6-0) Chairman Swanick Present as Ex-Officio Member

2. Item Page - 1999 (Comm. 4E-5)  
**COUNTY EXECUTIVE**

WHEREAS, there is a need to provide medical services to the students at School 84 on the Erie County Medical Center (ECMC) campus, and

WHEREAS, the Division of Developmental Pediatrics and Rehabilitation of the University at Buffalo Pediatric Associates, Inc. has been providing a part-time Medical Director for the past 15 years, and

WHEREAS, the Division of Developmental Pediatrics and Rehabilitation of the University at Buffalo Pediatric Associates, Inc. has expressed an interest to continue to provide such services, and

WHEREAS, the County provides ECMC with a subsidy for services provided at School 84.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with Division of Developmental Pediatrics and Rehabilitation of the University at Buffalo Pediatric Associates, Inc., and be it further

RESOLVED, that the aforesaid contract shall be for the provision of a part-time Medical Director at School 84, working at least 3 hours per week, not to exceed 264 hours per year, and be it further

RESOLVED, that said contract shall be in the amount of \$75.00 per hour of service, and be it further

RESOLVED, that the initial term of the aforesaid contract shall be for a one year period commencing on January 1, 1999, and extending until December 31, 1999, and shall include provisions allowing for the renewal of the contract for one successive one-year term,

and be it further

RESOLVED, that the Legislature authorizes an amount for aforementioned contract not to exceed \$19,800 per year, and be it further

RESOLVED, that the source of funding shall be from the subsidy provided by the County to ECMC for School 84, and be it further

RESOLVED, that the provisions of Section 19.08 of the Administrative Code requiring requests for proposal are hereby waived since this special service must be provided immediately, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Developmental Pediatrics and Rehabilitation of the University at Buffalo Pediatric Associates, Inc., the Department of Law, the Erie County Medical Center and the Director of Budget and Management.

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

3. Item Page - 1999 (Comm. 5E-26)

**COUNTY EXECUTIVE**

WHEREAS, the Reach Out Program of the Erie County Health Department is designed to comprehensively train adolescent peer educators regarding HIV/AIDS in order to help adolescents in Erie County protect themselves from contracting HIV and/or spreading the virus, and

WHEREAS, the American Red Cross, Buffalo Chapter, utilizes an approved HIV/AIDS curriculum to train peer educators, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract with the American Red Cross, Buffalo chapter, in an amount not to exceed \$15,000 to provide peer educators and peer education leaders, and be it further

RESOLVED, that rates paid under this contract shall be as follows:

Peer Educator	\$6.05 per hour
Peer Education Leader	\$6.60 per hour

and be it further

RESOLVED, that the contract with the American Red Cross is for special services that must be provided immediately and continuously, and therefore the Request for Proposal procedures required by Local Law No. 6, Section 19.08 of the Administrative Code is hereby waived, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Division of Budget, Management & Finance and the Department of Law.  
 (6-0) Chairman Swanick Present as Ex-Officio Member.

4. Item Page - 1999 (Comm. 5E-27)

**COUNTY EXECUTIVE**

WHEREAS the New York State Department of Health has awarded a revised contract in the amount of \$75,000 for the Erie County Department of Health to continue a program to provide training and technical assistance to Western New York county health departments to better enable them to integrate HIV prevention activities into their overall public health effort, and

WHEREAS, this training focus will assist the New York State Department of Health in meeting its goal of strengthening the capacity of local health units.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a revised contract with the New York State Department of Health to provide services budgeted as follows:

TECHNICAL & TRAINING ASSISTANCE 12/01/98-11/30/99 PROJECT #793					
<u>SFG</u>	<u>SUB</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>REVISED BUDGET</u>
553		STATE AID	\$51,500	\$23,500	\$ 75,000
		TOTAL	\$51,500	\$23,500	\$ 75,000
		<b><u>EXPENSES</u></b>			
800		PERSONNEL SERVICES	\$38,428	\$19,272	\$ 57,700
805		FRINGES	10,533	4,367	14,900
825		OUT OF AREA TRAVEL	1,000	400	1,400
826		OTHER EXPENSES	1,539	-539	1,000
		TOTAL	\$51,500	\$23,500	\$75,000

and be it further

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

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

5. Item Page - 1999 (Comm. 5E-28)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health operates a Part-Time Clinics Program, and

WHEREAS, the purpose of this program is to provide health care to the medically indigent and homeless at homeless shelters and at Buffalo area soup kitchens, and

WHEREAS, the Part-Time Clinic Program is an important cost-effective program that provides preventive and therapeutic services to a high risk population which has substance abuse and mental health problems, as well as high incidences of sexually transmitted diseases, AIDS and Tuberculosis, and

WHEREAS, the Part-Time Clinics Program has had a vacant part-time Registered Nurse position for which the Health Department has been unable to recruit a suitable candidate due to the lack of fringe benefits, and

WHEREAS, approval to change the vacant part time Registered Nurse position to a Regular Part-Time Registered Nurse position will enable recruitment and retention of needed nursing staff and will permit more flexible staff scheduling based on patient census.

NOW, THEREFORE BE IT

RESOLVED, that one vacant position of a Part-Time Registered Nurse, JG N1, is hereby deleted, and be it further

RESOLVED, that one position of Regular Part-Time Registered Nurse, JG N1, is hereby created,

The following personnel detail is hereby submitted:

FUNCTION: 4290

TITLE: Regular Part Time Registered Nurse

STEP: 1

JG: N1

HOURLY RATE: \$13.56

ANNUAL HOURS: 1040

CIVIL SERVICE: Yes

STATE REIMBURSEMENT: 36% State Aid

and be it further

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

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

JUDITH P. FISHER  
CHAIR

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY

RESOLUTION NO. 103

March 11, 1999

GOVERNMENT AFFAIRS  
COMMITTEE  
REPORT NO. 4

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

ALL ITEMS ARE HEREBY TABLED.

RAYMOND K. DUSZA  
CHAIRMAN

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

CARRIED UNANIMOUSLY.

**LEGISLATORS RESOLUTIONS**

Item 13 - MS. CHASE presented the following resolution and requested that it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro 6-1 from LEGISLATORS CHASE, RANZENHOFER, GREENAN, LARSON, WEINSTEIN & MARSHALL. Re: Support for Denying Bail for Persons Charged with DWI in Certain Instances.

Item 14 - MS. CHASE presented the following resolution and requested that it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro 6-2 from LEGISLATORS CHASE, RANZENHOFER, GREENAN, LARSON, WEINSTEIN & MARSHALL. Re: Support for Implementation of a STOP DWI Memorial Signage Program.

Item 15 - MS. CHASE presented the following resolution and requested that it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro 6-3 from LEGISLATORS CHASE, RANZENHOFER, GREENAN, LARSON, WEINSTEIN & MARSHALL. Re: Support for Limited Options for Plea Bargaining for Repeat Alcohol Related Offenders.

Item 16 - MS. CHASE presented the following resolution and requested that it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro 6-4 from LEGISLATORS CHASE, RANZENHOFER, GREENAN, LARSON, WEINSTEIN & MARSHALL. Re: Support for Including a Vehicle as the "Instrument of a Crime" When Charged with a DWI.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 104

Re: Amherst Agricultural District Erie County #17  
Notice of 8-Year Review (Int. 6-5)

WHEREAS, the Erie County Legislature has received notification of the eight-year review requirement of the Amherst Agricultural District which was created in 1991; and

WHEREAS, a copy of the Agricultural District maps are on file in the County Clerk's office and the Amherst Town Hall (Planning Department).



NOW, THEREFORE, BE IT

RESOLVED, that the Clerk of the Legislature be directed to publish a public notice in a newspaper having general circulation within the area of the above agricultural district, that notice be posted in at least five conspicuous places within the district, and that notice also be sent to the affected municipality, being the Town of Amherst; and be it further

RESOLVED, that after this 30 day period, the Legislature hereby directs the Clerk to refer the Amherst Agricultural District to the Erie County Department of Environment and Planning and the Agricultural and Farmland Protection Board for a report and recommendations; and be it further

RESOLVED, that a certified copy of this resolution be sent to the Erie County Department of Environment (Chet C. Jandzinski), the Town of Amherst and the Amherst Planning Department.

**FISCAL IMPACT:** None for resolution.

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

CARRIED UNANIMOUSLY.

Item 18 – MS. CHASE presented the following resolution and moved for immediate consideration. MR. LARSON seconded.

Intro 6-6 from LEGISLATORS CHASE, RANZENHOFER, GREENAN, LARSON, WEINSTEIN & MARSHALL. Re: Support for Amending Law Regarding Regulatory Mandates.

CHAIRMAN SWANICK directed that Intro 6-6 be referred to the GOVERNMENT AFFAIRS COMMITTEE.

CHALLENGE TO THE CHAIR.

CHAIRMAN SWANICK directed that Roll Call vote be taken.

YEAS – CHASE, GREENAN, LARSON, MARSHALL, PAULY and RANZENHOFER. NOES - WEINSTEIN, DEBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES and SWANICK. YEAS – 6, NOES – 11.

DEFEATED.

Intro 6-6 was referred to the GOVERNMENT AFFAIRS COMMITTEE.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 105

Re: Keeping Health Transplant Operations in Erie  
County (Int. 6-7)

WHEREAS, Heart transplant operations are currently performed in the Buffalo area, offering those seriously ill and in need of said procedure to avoid having to travel out of the area and thus incur the additional threat to their condition this travel could cause, and

WHEREAS, A heart transplant program is also of economic benefit to the participating hospital as patients are attracted from out of the area for this procedure, and

WHEREAS, A recent report from an ad hoc committee of the New York State Transplant Council recommended the abolishment of the Buffalo heart transplant program and the establishment of such programs in Rochester and Syracuse, and

WHEREAS, One primary reason given for the recommendation is that the Buffalo program fails to perform enough transplants per year to maintain high standards, as studies have shown that low-volume centers have lower survival rates than those performing more than 15 transplants per year, and

WHEREAS, While it is true that Kaleida Health's program performed only six transplants in 1998 and four in 1997, a predominant factor for this is that in New York State hearts are distributed based on medical urgency regardless of where they are donated, resulting in a disproportionate share of transplants occurring in the New York City area due to the area's population, and

WHEREAS, Kaleida Health has requested a waiver to allow them to use hearts obtained locally until they are performing a certain number of transplants per year; a waiver the committee recommended for the proposed Rochester and Syracuse programs,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby express its grave concern that those local residents in need of life-saving heart transplant operations may have to be subjected to the stress of travel in their time of need due to the abolishment of Buffalo's heart transplant program, and be it further

RESOLVED, That this Honorable Body does hereby strongly memorialize New York State Governor George Pataki, the New York State Legislature, the New York State Health Department, and the New York State Transplant Council to maintain Kaleida Health's heart transplant program for the health and well-being of the people of Erie County and Western New York, and be it further

RESOLVED, That this Honorable Body does further memorialize the aforementioned parties to conduct a review of the state's current transplant policies and consider granting Kaleida Health a waiver to allow them to use hearts obtained locally for transplants until they raise the number of transplants performed per year, and be it further

RESOLVED, That certified copies of this resolution be sent to New York State Governor George Pataki, the Western New York delegation of the State Legislature, New York State Health Department Acting Commissioner Dennis Whalen, the New York State Transplant Council, and Kaleida Health President and CEO John Friedlander.

**Fiscal Impact:** None for resolution.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 20 – MR. KUWIK presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 106                      Re: Support for Community Initiative (Int. 6-8)

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$ 2,500 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Bett-Toomey Detachment – Marine Corps League	n/a	\$2,500
<b>TOTAL</b>		<b>\$2,500</b>

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, 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 Norm Klesic, Bett-Toomey Detachment – Marine Corps League (1794 Electric Avenue, Lackawanna, New York 14218).

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

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

CARRIED UNANIMOUSLY.

Item 21 - MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. FITZPATRICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 107

Re: National Community Development Week (Int. 6-9)

WHEREAS, the week of March 29 – April 4, 1999 has been designated as National Community Development Week, City, USA is a participant in the Community Development Block Grant program which funds a myriad of social service, economic development, and housing programs in this community, and

WHEREAS, in our community and in communities throughout the nation, twenty-four years of Community Development Block Grant program funding has developed a strong network of relationships between this local government, residents and the many non-profit agencies that provide services and help make possible our commitment to those neighborhoods, and

WHEREAS, Erie County recognizes that the Community Development Block Grant program is a partnership of Federal, state, and local government, business, non-profit and community efforts, and that the services funded by the Federal CDBG program, administered by the local government and often delivered by local non-profit organizations, relies heavily on the dedication of and good will of our combined efforts,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby give special thanks and recognition to all participants whose hard work and devotion to the neighborhood and to low- and moderate-income residents helps ensure the quality and effectiveness of the Community Development Block Grant program, and be it further

RESOLVED, that this Honorable Body does hereby urge the U.S. Congress and the Clinton Administration to recognize the outstanding work being done locally and nationally by the Community Development Block Grant program, and of its vital importance to the community and to the people who live in its lower income neighborhoods, and be it further

RESOLVED, that this Honorable Body hereby be added to the roll of those committed to the preservation and full funding of the Community Development Block Grant program and maintenance of its essential features over the course of the next session of Congress, and be it further

RESOLVED, that certified copies of this resolution be sent to President Bill Clinton, Vice President Al Gore, United States House of Representatives Speaker Dennis Hastert, United States Senate Majority Leader Trent Lott, U.S. Representatives Thomas M. Reynolds, John LaFalce, and Jack Quinn, and to United States Senators Daniel P. Moynihan and Charles E. Schumer.

Fiscal Impact: Community Development Block Grant Program continues to have a positive fiscal impact upon local communities.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 108

Re: Authorization of 1998 County-Municipal  
Regionalism Grants (Int. 6-10)

WHEREAS, The Erie County Legislature — as part of its ongoing regional initiatives — developed the 1998 County-Municipal Regionalism Program, whereby towns and villages applied for grants to effectuate cooperative ventures to improve service to constituents, lower the cost of services or government operations without reducing the quality of said services or operations, and/or promote cooperation between governments for the direct or indirect betterment of the area, and

WHEREAS, The committee authorized by this Honorable Body received and reviewed 40 applications for funding under the aforementioned program, and recommended 19 projects for funding on July 8, 1998, and

WHEREAS, This Honorable Body passed unanimously Intro. 15-1 on July 16, 1998, wherein the Legislature accepted in their entirety the 19 recommendations of the County-Municipal Regionalism Committee, and

WHEREAS, A number of the contracts between the County of Erie and the lead agent municipalities for said projects have been drafted, and said municipalities have reviewed those contracts and passed certified resolutions authorizing acceptance of funds under the aforementioned program, and

WHEREAS, These lead agent municipalities have also received the commitment of the partnering entities to the contract language, including regular progress reports to this Honorable Body and a county hold-harmless clause, and

WHEREAS, This Honorable Body must now, by resolution, authorize the County of Erie to enter into these contracts so as to complete the funding process and implement these most worthy regional initiatives,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby reaffirm its commitment to the advancement of regionalism in Erie County and to the recommendations set forth by the County-Municipal Regionalism Committee for inclusion in the 1998 County-Municipal Regionalism Grant Program, and be it further

RESOLVED, That this Honorable Body does therefore authorize the County Executive to enter into contracts with the following lead agents:

Holland, "Holland District Library Enhancement" (project #7) — \$56,650,

Town of Orchard Park, "Joint Facilities" (project #8) — \$25,000,  
West Seneca, "Chip Fabrication Facility" (project #10) — \$100,000,  
Evans, "Joint Purchase of Beach Sweeper/Tractor" (project #17) — \$74,000,  
West Seneca, "Buffalo Creek Watershed Streambanks Stabilization" (project #20)  
— \$201,000,  
Amherst, "Regional Community Policing Center" (project #29) — \$70,450,  
and be it further

RESOLVED, That certified copies of this resolution be sent to Erie County Executive Dennis Gorski, First Assistant County Attorney Alan Gerstman, Legislative Aide Tod A. Kniazuk (six copies), Town of Amherst Supervisor Susan Grelick, Town of Holland Supervisor Gordon Hessel, Jr., Town of Orchard Park Supervisor Toni Marinaccio-Cudney, Town of West Seneca Supervisor Paul Clark, Town of Evans Supervisor Robert Catalino II, and County-Municipal Regionalism Committee Chair John Sheffer, II (UB Institute for Local Governance and Regional Growth, Beck Hall, South Campus, 3435 Main St. Building 9, Buffalo, NY 14214-3004).

**Fiscal Impact:** Allocation of 1998 budgeted funds.

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

CARRIED UNANIMOUSLY.

WHEREAS, The Erie County Legislature — as part of its ongoing regional initiatives — developed the 1998 County-Municipal Regionalism Program, whereby towns and villages applied for grants to effectuate cooperative ventures to improve service to constituents, lower the cost of services or government operations without reducing the quality of said services or operations, and/or promote cooperation between governments for the direct or indirect betterment of the area, and

WHEREAS, The committee authorized by this Honorable Body received and reviewed 40 applications for funding under the aforementioned program, and recommended 19 projects for funding on July 8, 1998, and



WHEREAS, This Honorable Body passed unanimously Intro. 15-1 on July 16, 1998, wherein the Legislature accepted in their entirety the 19 recommendations of the County-Municipal Regionalism Committee, and

WHEREAS, A number of the contracts between the County of Erie and the lead agent municipalities for said projects have been drafted, and said municipalities have reviewed those contracts and passed certified resolutions authorizing acceptance of funds under the aforementioned program, and

WHEREAS, These lead agent municipalities have also received the commitment of the partnering entities to the contract language, including regular progress reports to this Honorable Body and a county hold-harmless clause, and

WHEREAS, This Honorable Body must now, by resolution, authorize the County of Erie to enter into these contracts so as to complete the funding process and implement these most worthy regional initiatives,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby reaffirm its commitment to the advancement of regionalism in Erie County and to the recommendations set forth by the County-Municipal Regionalism Committee for inclusion in the 1998 County-Municipal Regionalism Grant Program, and be it further

RESOLVED, That this Honorable Body does therefore authorize the County Executive to enter into contracts with the following lead agents:

Amherst, "Amherst Utility Cooperative" (project #6) — \$20,000

Holland, "Holland District Library Enhancement" (project #7) — \$56,650,

Town of Orchard Park, "Joint Facilities" (project #8) — \$25,000,

West Seneca, "Chip Fabrication Facility" (project #10) — \$100,000,  
Evans, "Joint Purchase of Beach Sweeper/Tractor" (project #17) — \$74,000,  
West Seneca, "Buffalo Creek Watershed Streambanks Stabilization" (project #20) —  
\$201,000,  
Amherst, "Regional Community Policing Center" (project #29) — \$70,450,  
and be it further

RESOLVED, That the Erie County Legislature does hereby appoint the Honorable  
Raymond K. Dusza and the Honorable John W. Greenan to the Buffalo Creek Watershed  
Streambanks Stabilization Partnership Committee (project #20), and be it further

RESOLVED, That certified copies of this resolution be sent to Erie County Executive  
Dennis Gorski, First Assistant County Attorney Alan Gerstman, Legislative Aide Tod A.  
Kniazuk (six copies), Town of Amherst Supervisor Susan Grelick, Town of Holland Supervisor  
Gordon Hessel, Jr., Town of Orchard Park Supervisor Toni Marinaccio-Cudney, Town of West  
Seneca Supervisor Paul Clark, Town of Evans Supervisor Robert Catalino II, and County-  
Municipal Regionalism Committee Chair John Sheffer, II (UB Institute for Local Governance  
and Regional Growth, Beck Hall, South Campus, 3435 Main St. Building 9, Buffalo, NY 14214-  
3004).

**Fiscal Impact:** Allocation of 1998 budgeted funds.

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

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 109

Re: Support for Federal Small Community Aviation  
Development Program. (Int. 6-11)

WHEREAS, The adverse effect unusually-high airfares in upstate New York markets  
such as Buffalo and Rochester have on economic development and business attraction has been  
well documented, and

WHEREAS, Problems such as access to slots at hub airports from small to medium sized markets and other issues need to be addressed in order to better equip areas such as Western New York to offer an attractive and affordable transportation network for business to utilize, and

WHEREAS, The United State Senate recently introduced S. 82, a bill to reauthorize the Airport Improvement Act and the Federal Aviation Administration (FAA), which was approved by the Senate Commerce Committee on February 11, 1999, and

WHEREAS, Section 502 of S. 82 would establish the Small Community Aviation Development Program, a four-year pilot program to fund incentives and projects helping communities or consortia of communities improve their access to major hub airports in the national air transportation system, and would through public-private partnerships identify and establish ways to overcome economic, geographic and marketplace factors that inhibit the availability of quality, affordable air service to small communities, and

WHEREAS, Said program would:

- Assist communities and states in improving their access to the national transportation system;
- Facilitate better air service link-ups to support the improved access;
- Provide grants to 80 small communities or consortia of communities of up to \$500,000 per year;
- Work with airports and air carriers to ensure that appropriate facilities are made available at essential airports;
- Collect data on air carrier service to small communities; and
- Provide policy recommendations to the Secretary of Transportation to stimulate air competition to small communities,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby express its continued concern over the negative consequences of unreasonably high airfares in the Western New York marketplace, and be it further

RESOLVED, That this Honorable Body does call upon the United States Congress to pass and President Bill Clinton to sign into law S. 82 — and especially Section 502 of said bill — to establish the Small Community Aviation Development Program as a means of addressing the aforementioned situation, and be it further

RESOLVED, That certified copies of this resolution be sent to President Bill Clinton, the Western New York delegation of the United States Congress President Bill Clinton, .

**Fiscal Impact:** Impact of Change would be positive for the local economy.

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

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 110

Re: Urging NYS to Hold Counties Harmless Due to State's Delay in Adopting Federal Adoption & Safe Families Act of 1997. (Int. 6-12)

WHEREAS, The State of New York is required by federal law to amend state statute to conform with the provisions of the federal Adoption and Safe Families Act (ASFA) of 1997, and

WHEREAS, ASFA changes the focus of the child welfare system to make the health and safety of the child the paramount concern in determining whether to reunify the family or to free the child for adoption, and

WHEREAS, Due to legislative disagreements regarding the implementation of ASFA in New York, the State Legislature was delayed in adopting the provisions and thus missed the federal deadline for compliance, and

WHEREAS, In January 21, 1999 counties were informed by the Office of Children and Family Services (OCFS) that New York State had stopped drawing \$42 million a month in federal funds for Title IV-e foster care services due to the state's lack of compliance with ASFA, and

WHEREAS, Subsequent to this action the State Legislature adopted and Governor Pataki signed legislation to bring New York into compliance with ASFA, and

WHEREAS, New York State may still lose the reimbursement for the period of non-compliance, and

WHEREAS, The state chose to opt into the criminal records checking provisions permitted under the federal law — requiring fingerprinting and criminal background checks of potential foster and adoptive parents, and criminal background checks for foster homes at the time of their yearly re-certification — yet did not provide funding for said provisions, and did further mandate immediate compliance with said provisions, and

WHEREAS, Other penalties and disallowances may occur during future federal audits, placing counties in continued jeopardy of losing funding, and

WHEREAS, Due to the Family and Children Services funding mechanism counties will be 100 percent liable for any shortfall incurred by any reduction in federal funds,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby urge New York State Governor George Pataki and the State Legislature to hold counties harmless for any loss of federal funds or penalties associated with the state's delay in becoming compliant with the federal Adoption and Safe Families Act, and be it further

RESOLVED, That this Honorable Body does further urge New York State to bear 100 percent of all costs associated with the immediate implementation of the ASFA criminal checking provisions, and be it further

RESOLVED, That certified copies of this resolution be sent to New York State Governor George Pataki, the Western New York delegation of the New York State Legislature, Erie County Executive Dennis Gorski, and Erie County Department of Social Services Commissioner Deborah Merrifield.

**Fiscal Impact:** To be determined.

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

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 111

Re: Support for Federal Legislation to Prevent Federal Government from Recouping Funds from Tobacco Settlement to Repay Medicaid. (Int. 6-13)

WHEREAS, on November 23, 1998, forty-six states agreed to a \$206 billion settlement with the major United States tobacco companies, settling more than forty lawsuits, and

WHEREAS, the Department of Health and Human Services has indicated that the Administration has claims to fifty-seven percent of these funds, based on the federal share of Medicaid, and

WHEREAS, the Erie County Legislature unanimously adopted a resolution on February 18, 1999 opposing plans by the federal government to reclaim any portion of the tobacco settlement funds through provisions of the federal Medicaid act, and

WHEREAS, S. 346 and H.R. 351 are bills introduced into the United States Senate and House of Representatives, respectively, which would prohibit the recoupment of funds by the Department of Health and Human Services as an overpayment under the Medicaid program, and

WHEREAS, these bills include provisions highlighting the fact that these lawsuits were initiated by the states with no assistance, in any form, by the federal government, and that this settlement only reflects state costs and damages, and does not claim to recover Medicaid costs, and

WHEREAS, Erie County's lawsuit predates the suit filed by the State of New York, and

WHEREAS, Erie County's expected share of the settlement is nearly \$500 million which is designated to be applied toward property tax relief to ease the financial burden of property owners whose tax dollars have paid for the Medicaid program, and

WHEREAS, the anticipated prolonged debate and litigation which would result from the failure to pass these bills would delay payments of the settlements to the rightful parties and would cost more taxpayer dollars in legal costs,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby support S. 346 and H.R. 351, preventing the recoupment of tobacco settlement funds by the federal government, and be it further

RESOLVED, that this Honorable Body urges the Senate and House of Representatives to pass these bills and resolve any differences between them within conference committees, and does further urge the President to sign this legislation into law so as to prevent ongoing and costly litigation which would delay States from using their settlement funds for the health and welfare of their residents, as determined by the needs and priorities of those residents, and be it further

RESOLVED, that certified copies of this resolution be sent to President William J. Clinton, Health and Human Services Secretary Donna Shalala, United States Senators Daniel Patrick Moynihan and Charles E. Schumer, and United States Representatives Thomas M. Reynolds, John J. LaFalce, and Jack Quinn.

**Fiscal Impact:** Change in Medicaid Act will preserve tobacco settlement funds and save county taxpayer dollars.

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 112

Re: Calling for an Investigation of the Holyfield-Lewis Fight. (Int. 6-14)

WHEREAS, the official decision rendered in the heavyweight title fight between Evander Holyfield and Lennox Lewis held at Madison Square Garden in New York City on Saturday, March 13 is incomprehensible to almost all boxing observers and is clearly an injustice to the sport of boxing, and

WHEREAS, the sports consumer, supporting this event either at Madison Square Garden or by means of "pay per view" television, has been defrauded by the official outcome of this event, and

WHEREAS, it is the New York State Athletic Commission, boxing's sanctioning body in New York State, whose responsibility it is to oversee events such as the Holyfield-Lennox fight, and in doing so to assure that proper officiating takes place at such events, and

WHEREAS, the Athletic Commission has failed to make such assurance with respect to this event, and

WHEREAS, United States Senator John McCain has taken aggressive steps on the federal level to investigate illegalities and other problems associated with professional boxing, and has been an advocate for much-needed reform within the sport, and

WHEREAS, a full and thorough investigation conducted by a disinterested, unbiased agency is in order,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby call upon the Attorney General of New York State to conduct thorough investigation of this matter and to report his findings to the people of the State of New York, and be it further

RESOLVED, that upon completion his investigation, this Honorable Body does hereby further call upon the Attorney General to report his findings to Senator McCain in order to ensure that action may be taken on the federal level with respect to this matter, and be it further

RESOLVED, that certified copies of this resolution be sent to Governor George Pataki, Attorney General Eliot Spitzer, the Clerk of the New York State Assembly, the Secretary of the New York State Senate, Melville Southard, Commissioner, New York State Athletic



Commission, 270 Broadway, New York, NY 10007-2372, and to United States Senator John McCain, 241 Russell Senate Office Building, Washington, D.C. 20510.

Fiscal Impact: None for Resolution

MR. PAULY moved to amend the resolution. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

WHEREAS, the official decision rendered in the heavyweight title fight between Evander Holyfield and Lennox Lewis held at Madison Square Garden in New York City on Saturday, March 13 is incomprehensible to almost all boxing observers and is clearly an injustice to the sport of boxing, and

WHEREAS, the sports consumer, supporting this event either at Madison Square Garden or by means of "pay per view" television, has been defrauded by the official outcome of this event, and

WHEREAS, it is the New York State Athletic Commission, boxing's sanctioning body in New York State, whose responsibility it is to oversee events such as the Holyfield-Lennox fight, and in doing so to assure that proper officiating takes place at such events, and

WHEREAS, the Athletic Commission has failed to make such assurance with respect to this event, and

WHEREAS, United States Senator John McCain has taken aggressive steps on the federal level to investigate illegalities and other problems associated with professional boxing, and has been an advocate for much-needed reform within the sport, and

WHEREAS, a full and thorough investigation conducted by a disinterested, unbiased agency is in order,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby call upon the Attorney General of New York State to conduct thorough investigations of the Holyfield-Lewis fight in particular, and the New York State Athletic Commission in general, and to report his findings to the people of the State of New York, and be it further

RESOLVED, that upon completion his investigation, this Honorable Body does hereby further call upon the Attorney General to report his findings to Senator McCain in order to ensure that action may be taken on the federal level with respect to this matter, and be it further

RESOLVED, that certified copies of this resolution be sent to Governor George Pataki, Attorney General Eliot Spitzer, the Clerk of the New York State Assembly, the Secretary of the New York State Senate, Melville Southard, Commissioner, New York State Athletic Commission, 270 Broadway, New York, NY 10007-2372, and to United States Senator John McCain, 241 Russell Senate Office Building, Washington, D.C. 20510.

Fiscal Impact:           None for Resolution

MR. PAULY moved to approve the resolution as amended. MR. FITZPATRICK seconded. MARSHALL, WEINSTEIN, GREENAN, and LARSON voted in the negative.

CARRIED.

Item 27 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 113

Re: Funding for Youth Recreational Program. (Int. 6-15)

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 \$26,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Town Boys & Girls Club	830/0271	\$26,000
<b>TOTAL</b>		<b>\$26,000</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 each to William Gallagher, Executive Director, Town Boys & Girls Club, Inc. (54 Riverdale Ave., Tonawanda, New York 14207).

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

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

CARRIED UNANIMOUSLY.

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$ 37,500 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Town Boys & Girls Club	830/0271	\$26,000
Forever Elmwood, Inc.	830/0630	\$ 3,500
West Side Community Services	830/0547	\$ 8,000
<b>TOTAL</b>		<b>\$37,500</b>

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, 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 Gary Krasinski, Acting Executive Director, Town Boys & Girls Club, Inc. (54 Riverdale Ave., Tonawanda, New York 14207), Michael Ferdman, Esq., Forever Elmwood (c/o Hiscock & Barclay, 50 Fountain Plaza, Buffalo, New York 14202), and Lucy Candelario, Executive Director – West Side Community Services (161 Vermont Street, Buffalo, New York 14213).

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

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

CARRIED UNANIMOUSLY.

Item 28 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 114                      Re: Transfer of Funds (Int. 6-16)

WHEREAS, the Erie County Department of Environment and Planning will once again hold its annual Food and Family Farm Tour at the Erie County Fairgrounds, and

WHEREAS, Operation Prime Time is a program funded through the Erie County Department of Youth Services that effectively steers Erie County youth toward positive activities during their free time, and

WHEREAS, the Department of Environment and Planning and the Department of Youth Services have each identified a shortfall in funding for the Food and Family Farm Tour and Operation Prime Time, respectively, and will require additional funds, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of 1,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 945 , Department 620 – Department of Environment and Planning – Contractual Agencies (DAC: 110945620830), for the purpose of providing these funds to the Food and Family Farm Tour, and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$5,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 946, Department 250 – Department of Youth Services (DAC: 110946250830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>BUDGET</u> <u>AMOUNT</u>	<u>+/-</u>	<u>NEW</u> <u>AMOUNT</u>
Operation Prime Time	830/1056	\$100,000	\$5,000	\$105,000
<b>TOTAL</b>			<b>\$5,000</b>	

And be it further

RESOLVED, that the County Executive is authorized to enter into contracts 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 Environment and Planning Richard M. Tobe and the Commissioner of Youth Services L. Nathan Hare, 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 Richard M. Tobe – Commissioner of Environment and Planning, David Meltzer and Chet Janzinski of Erie County Department of Environment and Planning and L. Nathan Hare – Commissioner of Youth Services.

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

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

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 29 - MS. PEOPLES moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of Comm. 5E-16 MRS. FISHER seconded.

RESOLVED, that the Fire Safety Division, Department of Emergency Services, is hereby authorized to accept the donation of 12 square feet of vinyl siding from Alside Building Products 2475 Walden Avenue Cheektowaga, New York 14225 and does authorize the County Executive to enter into agreement with said company to effectuate this donation, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Erie County Executive Dennis T. Gorski, the County Attorney, the Division of Budget, Management and Finance and the Department of Emergency Services.

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

CARRIED UNANIMOUSLY.

Item 30 - MS. PEOPLES moved to discharge the SOCIAL SERVICES COMMITTEE from further consideration of Comm. 5E-23 MS. MARINELLI seconded.

WHEREAS, the Erie County Legislature has already appropriated funds for the Supplemental Security Income (SSI) Outreach Program for the period April 1, 1998 to March 31, 1999 and the Elder Abuse Education and Outreach Program (EAEOP) for the period October 1, 1998 through March 31, 1999, and

WHEREAS, the Department of Senior Services desires to revise the respective grant budgets to reflect actual needs, and

WHEREAS, no additional County funds are required,

NOW, THEREFORE, BE IT

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

Senior Services SSI - Project 892 (4/1/98-3/31/99)

<u>APPROPRIATIONS</u>		<u>CURRENT AMENDED BUDGET</u>	<u>CHANGES</u>	
<u>Account</u>	<u>Description</u>	<u>BUDGET</u>		
800	Personal Services	\$32,752	-\$5,550	\$27,202
805	Fringe Benefits	7,729	- 2,400	5,329
824	Travel and Mileage	1,519	- 495	1,024
826	Other Expenses	0	+ 8,445	8,445
TOTAL CHANGES			-0-	

and be it further

RESOLVED, that the EAEOP grant budget for the period 10/1/98 to 3/31/99 be revised as follows:

Senior Services EAEOP - Project 909 (10/1/98-3/31/99)

<u>APPROPRIATIONS</u>		<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>AMENDED BUDGET</u>
<u>Account</u>	<u>Description</u>			
800	Personal services	\$ 4,675	- \$ 1,975	\$ 2,700
805	Fringe benefits	540	- 225	315
810	Office supplies	103	+ 200	303
880	Interfund Expense-DISS	500	+ 400	900
933	Lab & technical equip.	8,232	+ 1,600	9,832
TOTAL CHANGES			-0-	

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.

CARRIED UNANIMOUSLY.

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



Item 31- MS. PEOPLES moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 2D-9. MS. MARINELLI seconded.

WHEREAS, the Department of Public Works received bids for the Botanical Gardens Dome Reconstruction, Entry Portico, in 1998, and

WHEREAS, your Honorable Body has previously awarded a contract to the lowest responsible bidder, Miller Enterprises, Inc., in the amount of \$128,700.00, and

WHEREAS, during the course of work, it was discovered that unforeseen conditions and additional work was required in preparation for the reconstruction and restoration of the main dome requiring an additional \$55,000 funding to the construction contingency,

NOW, THEREFORE, BE IT,

RESOLVED, that the construction contingency fund be increased by \$55,000.00 to a new total amount of \$93,000.00, with authorization for the Commissioner of Public Works to approval 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 for all of the above from the 1997 Botanical Gardens Dome Reconstruction Capital Bond Account, SFG 779, Fund 410, in the total amount of \$55,000.00, and be it further,

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

MS. PEOPLES moved to amend Comm. 2D-9. MR. HOLT seconded.

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

Item 32 - MS. PEOPLES moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 3D-11. MR. HOLT seconded.

WHEREAS, the Department of Public Works received bids on February 3, 1999, for the 1999 Stadium Improvements, Waterline Service Improvements, and

WHEREAS, the Engineer and the Department of Public Works are recommending award to the lowest responsible bidder for the 1999 Stadium Improvements, Waterline Service Improvements, and

WHEREAS, the County of Erie and the Buffalo Bills have agreed to set aside \$1,000,000.00 of the \$2.1 million in the 1999 Stadium Maintenance Capital Budget, and

WHEREAS, said \$1 million was to cover cost overruns on the \$63 million renovation project, and

WHEREAS, the County has received bids for the 1999 Stadium Improvements, Waterline Services Improvements, which exceed funds available, and

WHEREAS, in order to resolve this funding shortfall, the Buffalo Bills have requested that the \$1 million cost overrun set aside be lowered to \$560,000.00 and the remaining \$440,000.00 be applied to the 1999 Stadium Improvements, Waterline Service Improvements project,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into a contract for the 1999 Stadium Improvements, Waterline Service Improvements, as follows:

PLUMBING WORK

Kandey Company	
Base Bid	\$1,087,000.00

and be it further,

RESOLVED, that the \$1,000,000.00 set aside for cost overruns of the \$2.1 million in the 1999 Stadium Maintenance Capital Budget be reduced to \$560,000.00 and, be it further,

RESOLVED, that the sum of \$95,000.00 be allocated for a construction contingency fund with authorization for the Commissioner of Public works to approve change orders not to exceed the amount of the contingency and \$20,000.00 for contractor's maximum bonus/ liquidated damages, 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 payment for all of the above from the 1997, 1998 and 1999 Stadium Renovations Capital Budget, SFG 803, Fund 410 for 1997 and SFG 826, Fund 410, for 1998, and Fund 410, SFG 128, for 1999 Stadium Renovations, in the total amount of \$1,202,000.00, and be it further,

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

Reference: Comm. 3D-11

MS. PEOPLES moved to amend Comm. 3D-11. MR. HOLT seconded.

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

Item 33 - MS. PEOPLES moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 5D-14. MR. HOLT seconded.

WHEREAS, the Department of Public Works received bids on March 8, 1999 for the Buffalo & Erie County Central Library, Local Area Network for Online Public Access Catalog - Network Center Air Conditioning project, and

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

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into a contract for the Buffalo & Erie County Central Library, Local Area Network for Online Public Access Catalog - Network Center Air Conditioning project as follows:

AIR CONDITIONING WORK

RP Mechanical

Base Bid	\$ 8,723.00
Alt. AC-1	<u>\$ 6,140.00</u>
Total	\$14,863.00

and be it further,

RESOLVED, that the sum of \$4,000.00 be allocated to a construction contingency fund with authorization for the Commissioner Of Public Works to approve change orders not to exceed the amount of the contingency, and be it further,

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

RESOLVED, that the sum of \$2,000.00 be allocated for testing and miscellaneous expenses with authorization for the Commissioner of Public Works to expend said funds, and be it further,

RESOLVED, that the Buffalo and Erie County Library has authorized the Comptroller's Office to make payments indicated above and be charged to Fund 490, Project 663, Department 420, Account 975, and be it further,

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

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

Item 34 - MS. PEOPLES moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 5D-15. MR. DUSZA seconded.

WHEREAS, the 1999 budget contains \$500,000.00 for Countywide Roof Replacement & Waterproofing and Parks Department Building Repairs, and

WHEREAS, the firm of Stievater & Associates: Architects is already engaged by the Department of Public Works under an Architect/Engineer contract for the 1998 Countywide Roof Replacement & Waterproofing project, and

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

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to issue a supplemental agreement to Stievater & Associates: Architects to prepare contract documents and provide inspection services for the Countywide Roof Replacement & Waterproofing and Parks Department Building Repairs, and be it further,

RESOLVED, that the total amount paid for consulting services on a percentage of construction basis, not to exceed \$44,000.00, including reimbursables, and be it further,

RESOLVED, that the fee allocation be taken from the following accounts:

- \$22,000.00 from the 1999 DPW Buildings & Grounds O&M Budget, Fund 110, Department 221, Account 823, Repairs and Maintenance, and
- \$22,000.00 from the 1999 Parks O&M Budget, Fund 110, Department 640, Account 823, Repairs and Maintenance, and be it further,

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

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

Item 35 - MS. PEOPLES moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro 4-3. MR. OLMA seconded.

WHEREAS, Those in arrears on their county taxes hurt the overall fiscal health of Erie County through the withholding of revenue from the county, as well as the manpower dedicated to collecting of said unpaid taxes, and

WHEREAS, It does not make good fiscal sense, then, to allow those in arrears on their county taxes to profit from Erie County by allowing them to do business with our government, and

WHEREAS, Many neighborhoods in our county suffer from irresponsible absentee landlords who purchase property at low rates, acquire as much rent for them as possible without maintaining the condition of the property, and then simply abandon the property and cease paying taxes when it is no longer able to generate income, and

WHEREAS, Erie County should not sell real property at auction to those already in arrears on their county taxes,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby conceptually support a local law in Erie County prohibiting any individual, corporation or other entity from being licensed or permitted to purchase real property from, or to do business with, Erie County without official certification that all outstanding obligations or arrears owed to the County or any of its departments boards or agencies are paid in full or otherwise have made arrangement for payment in full, and be it further

RESOLVED, That this Honorable Body does hereby request the County Attorney and the Division of Real Property Tax to analyze the effectiveness and applicability of a similar law in place in the City of Buffalo, as well as any other relevant documents, and prepare a report for the Erie County Legislature as to the best course to follow to put in place a local law for the County of Erie that will achieve the aforementioned goals, and be it further

RESOLVED, That the County Attorney and Division of Real Property Tax submit said report to the Clerk of the Erie County Legislature within 45 days of passage of this resolution, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Erie County Executive Dennis Gorski, Erie County Attorney Kenneth Schoetz, Erie County Division of Budget Director Kenneth Kruly, Deputy Commissioner of Real Property Tax Joseph Maciejewski, Erie County Comptroller Nancy Naples City of Buffalo Acting Corporation Counsel Michael Risman (Room 1101 City Hall, Buffalo, NY 14202) and City of Buffalo Senior Tax Administrator Bruna Michaux.

**Fiscal Impact:** None for resolution.

MR. RANZENHOFER 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. MR. OLMA seconded.

Item 36 – MS. CHASE moved to discharge the HEALTH COMMITTEE from further consideration of Intro 8-14. MR. GREENAN seconded.

CHAIRMAN SWANICK directed that roll call vote be taken.

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

MOTION FAILED.

CHAIRMAN SWANICK directed that Intro 8-14 remain in the HEALTH COMMITTEE.

### SUSPENSION OF THE RULES

Item 37 - MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda. MR. KUWIK seconded.

GRANTED.

Resolution No. 122

Re: Erie County Sheriff's Office – Armory Use and  
Indemnification Agreement (Comm. 6E-24)

RESOLVED, that the County Executive be and hereby is authorized to execute and enter into agreement with the State of New York Division of Military and Naval Affairs (DMNA) providing for the indemnification of DMNA by the County of Erie and providing for the use by the Erie County Sheriff of the DMNA Armory at Masten and Best Street in Buffalo, New York as a substitute jail for the emergency temporary detention of persons arrested by federal, state or local law enforcement agencies at so called 1999 Spring of Life Reunion - Operation Save America demonstrations and/or counter demonstrations likely to occur within Erie County between (approximate dates) April 10, 1999 and April 30, 1999, and be it further

RESOLVED, that certified copies be forwarded to the Office of the Sheriff, the Office of the Comptroller, the Office of the County Attorney and the Division of Budget, Management and Finance

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

CARRIED UNANIMOUSLY.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM THE COMPTROLLER**

Item 38 – (Comm. 6E-1) Review of the Placement & Use of Vending Machines on County Property.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE COUNTY EXECUTIVE**

Item 39 – (Comm. 6E-2) Copy of Letter to NFTA Re: Easement for Sidewalks Along Galleria Drive in Cheektowaga.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 40 – (Comm. 6E-3) Position Change Report PP#6.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM LEGISLATOR MARSHALL**

Item 41 – (Comm. 6E-4) Notice of Absence from Government Affairs Committee Meeting 3/11/99.

Received and filed.

FROM LEGISLATOR DEBENEDETTI

Item 42 – (Comm 6E-5) Notice to Change vote on Item 4E-20.

Received, filed and printed.

March 10, 1999

Laurie Manzella, Clerk  
Erie County Legislature  
25 Delaware Avenue, 7th Floor  
Buffalo, NY 14202

Dear Laurie:

I wish to change my vote on item 4E-20, the McKinney Homeless Shelter Plus Care Program, which the Legislature approved at its March 4, 1999, session. For both the amendment and the item as amended, please record me in the negative.

Thank you for your assistance. If you have any questions, please do not hesitate to contact my office.

Sincerely,

Al DeBenedetti  
6<sup>TH</sup> District

FROM LEGISLATOR FISHER

Item 43 - (Comm. 6E-6) Letter to ECMC Re: Comprehensive Psychiatric Emergency Program at ECMC.

Received and referred to the HEALTH COMMITTEE.

FROM LEGISLATOR MARSHALL

Item 44 – (Comm. 6E-7) Letter to Chairman Swanick Re: County Funding from Buffalo Zoo.

Received and filed.

FROM THE COUNTY EXECUTIVE



Item 45 – (Comm. 6E-8) Erie County’s Recommendations for State Legislative Action in 1999.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM CHAIRMAN SWANICK

Item 46 – (Comm. 6E-9) Response to Legislator Marshall Re: Funding for Buffalo Zoo.

Received and filed.

FROM THE COUNTY CLERK

Item 47 – (Comm. 6E-10) Erie County Clerk’s 1998 Year End Report.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 48 – (Comm. 6E-11) Erie County Clerk – Merchant Credit Card Services

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 49 – (Comm. 6E-12) City of Buffalo Tow Path Park – Title Transfer.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 50 – (Comm. 6E-13) Sheriff – Request to Accept Donations for K-9 Unit.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 51 – (Comm. 6E-14) Contract with Erie County Industrial Development Agency to Retain Trico Products Corporation in Buffalo.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 52 – MS. PEOPLES presented the following and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 123

Re: County Attorney – Transfer of Funds  
(Comm. 6E-15)

WHEREAS, the Department of Law must upgrade their computer system for the remainder of 1999 in order to operate smoothly, and

WHEREAS, total projected expense for Account 823 - Repairs and Maintenance, including the computer system upgrade will require an additional \$9,000 in 1999.

NOW, THEREFORE, BE IT

RESOLVED, that in Department 600, Law, Account 823 - Repairs and Maintenance is increased by \$9,000, the source of funds being Account 802 - Reductions from Personal Services Accounts in Department 301, Countywide Accounts, Budget which is increased by a like amount, and be it further

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

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

CARRIED UNANIMOUSLY.

Item 53- (Comm. 6E-16) Local Planning Initiative – Municipal Master Plans.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 54 – (Comm. 6E-17) Youth Services – Authorization to Contract

Item 55 – (Comm. 6E-18) Youth Services – Authorization to Contract – Delinquency Prevention Programs.

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

Item 56 – (Comm. 6E-19) Filling Vacant Positions 2/99.

Item 57 – (Comm. 6E-20) Filling Vacant Positions 1/99

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

Item 58 – (Comm. 6E-21) ECSD No. 5 – Fox & Company – Buffalo Proposed Agreement Amendment.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 59 – (Comm. 6E-22) Grant Programs – Authorization to Contract.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 60 – (Comm. 6E-23) Appointment to Erie County Fire Advisory Board.

Received, filed and printed.

March 1, 1999

Erie County Legislature  
25 Delaware Ave.  
Buffalo, NY 14202

Re: Erie County Fire Advisory Board

Dear Honorable Members,

Please be advised that I have appointed James McCullough to fill the unexpired term of Norm Eberle as a member of the Erie County Fire Advisory Board. Mr. McCullough is the Commissioner of Vigilant Fire Company and would be a great asset to the Fire Advisory Board.

This will be for the duration of Mr. Eberle's term, expiring 5/31/99.

Very truly yours,

Dennis T. Gorski, County Executive

cc: James McCullough  
Robert J. Schultz, Deputy Commissioner

COMMUNICATIONS FROM THE DEPARTMENTS

FROM EC MORGUE

Item 61 – (Comm. 6D-1) Monies & Other Property Found on Deceased Persons.

Received and referred to the HEALTH COMMITTEE.

FROM ECC

Item 62 – (Comm. 6D-2) Notice of Board of Trustees Meeting to be Held 3/24/99

Item 63 – (Comm. 6D-3) Notice of Committee Meeting of the Board of Trustees Held 3/16/99 & 3/17/99.

Item 64 – (Comm. 6D-4) Minutes of Board of Trustees Meeting Held 1/27/99.

The above three items were received and filed.

**FROM THE COUNTY ATTORNEY**

Item 65 – (Comm. 6D-5) Notice of County Executive's Approval Intros 27-5, 27-6, 29-12, & 29-13.

Received, filed and printed.

February 24, 1999

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

**RE: Resolutions Reference Int. 27-5, Int. 27-6, Int. 29-12 and Int. 29-13**

Dear Ms. Manzella:

Enclosed herein is a copy of the above Resolutions for your files.

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

Very truly yours,

KENNETH A. SCHOETZ  
Erie County Attorney

By: Alan Gerstman  
1st Assistant County Attorney

APG/sl

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro.27-5, on Wednesday, December 30, 1998 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 30th day of December, 1998.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro.27-5, on Wednesday, December 30, 1998 due notice thereof having been published in the official newspapers of

the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this  
day of 1998.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro.27-6, on Wednesday, December 30, 1998 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this  
30th day of December, 1998.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro.27-6, on Wednesday, December 30, 1998 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this  
day of 1998.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro.29-12, on Wednesday, December 30, 1998 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this  
30th day of December, 1998.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro.29-12, on Wednesday, December 30, 1998 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this  
day of 1998.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro.29-13, on Wednesday, December 30, 1998 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this  
30th day of December, 1998.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro.29-13, on Wednesday, December 30, 1998 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this  
day of 1998.

Item 66 – (Comm. 6D-6) Notice of County Executive’s Approval Intros 29-9, 1-2, 1-3, & 2-12.

Received, filed and printed.

February 24, 1999

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

**RE: Resolutions Reference Int. 29-9, Int. 1-2, Int. 1-3 and Int. 2-12**

Dear Ms. Manzella:

Enclosed herein is a copy of the above Resolutions for your files.

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

Very truly yours,

KENNETH A. SCHOETZ  
Erie County Attorney

By: Alan P. Gerstman  
1st Assistant County Attorney

APG/s

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro.29-9, 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, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro.29-9, 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 DISAPPROVE and VETO said Resolution this  
day of 1998.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro.1-2, 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, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro.1-2, 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 DISAPPROVE and VETO said Resolution this  
day of 1998.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro.1-3, 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, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro.1-3, 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 DISAPPROVE and VETO said Resolution this  
day of 1998.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 2-12, 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, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro.2-12, 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 DISAPPROVE and VETO said Resolution this  
day of 1998.

Item 67 – (Comm. 6D-7) Notice of County Executive’s Public Hearing Co. 4E-6, 4E-21, Intros 5-10, 5-11, 5-12, 5-13, 5-15 & Comm 5E-12 & 5E-13, 5-15 & Comm. 5E-12 & 5E-13.

Received, filed and printed.

March 5, 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 Comm. 4E-6, Comm. 4E-21, Intro. 5-10, Intro. 5-11 and Intro. 5-12, Intro. 5-13, Intro. 5-15, Comm. 5E-12 and Comm. 5E-13**

Dear Ms. Manzella:

Enclosed herein is a copy of the Public Hearing Notice for the above caption Resolutions which were adopted by the Erie County Legislature on March 4, 1999.

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

Very truly yours,

KENNETH A. SCHOETZ  
Erie County Attorney

By: Alan P. Gerstman  
I" Assistant County Attorney

APG/sl  
Encl.

**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN THAT** Erie County Executive Dennis T. Gorski, will hold a public hearing on Wednesday, March 16, 1999 at 10:00 a.m.. concerning appropriations from the County contingency fund and unanticipated revenue in the general fund for the following purposes:

**DEPARTMENT OF EMERGENCY SERVICES**  
**HAZARDOUS MATERIALS (HAZ MAT) TEAM** **\$ 24,350.00**

**ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY**  
**DEMOLITION OF ABANDONED GRAIN**  
**ELEVATORS & MILLS IN TOWN OF TONAWANDA** **\$100,000.00**

**CHOPIN SINGING SOCIETY**

**ELLWOOD FIRE DISTRICT 41**

**KEN-TON FAMILY YMCA**

**BUFFALO GREEN FUND, INC.**

**HISPANICS UNITED OF BUFFALO**

**POLISH COMMUNITY CENTER**

**PAN AMERICAN 2001, INC.** **\$ 50,000.00**

**AMERICAN LEGION NIAGARA FRONTIER POST 1041, INC.** **\$6,000.00**

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



On March 4, 1999 the Erie County Legislature adopted Resolutions Reference Comm. 4E-6, Comm. 4E-21 1, Intro. 5- 10, Intro. 5-11. Intro. 5-12, Intro. 5- 13, Intro. 5-15, Comm. 5E- 12 and Comm. 5E- 13 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 7th Floor of 25 Delaware Avenue, in the City of Buffalo. New York.

DENNIS T. GORSKI  
ERIE COUNTY EXECUTIVE

FROM ECMC

Item 68 – (Comm. 6D-8) Board of Managers Finance Committee 3/10/99 Financial Statements for the 12 Months Ended 12/31/98.

Item 69 – (Comm. 6D-9) Notice of Board of Mangers Meeting Held 3/11/99 & Minutes of Meeting Held 2/12/99.

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

Item 70 – (Comm. 6D-10) Response to Comptroller's Findings Re: ECMC's Cash Disbursement Procedures.

Received and referred to the FINANCE & MANGEMENT COMMITTEE.

FROM ECC

Item 71 – (Comm. 6D-11) Notice of Board of Trustes Special meeting to be held 3/18/99.

Received and filed.

FROM BUDGET, MANAGEMENT & FINANCE

Item 72 – (Comm. 6D-12) Sale of County Owned Properties.

Received and filed.

FROM BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 73 – (Comm. 6D-13) Notice of Board of Trustees Meeting to be held 3/18/99.

Received and filed.

FROM ECC

Item 74 - MS. MARINELLI presented the following and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 124

Re: Dormitory Authority of State of New York  
Financing & Refinancing. (Comm. 6D-14)

WHEREAS, the Legislature of the County of Erie, (the "Local Sponsor"), hereby finds and determines that, pursuant to the provisions of Article 126 of the Education Law, the County of Erie has established Erie County Community College (the "Community College"), in and for the County of Erie; and has provided for the refinancing of not exceeding one-half of the capital costs of certain facilities for the College, (herein, and in the Agreement, each, as hereinafter defined, collectively called the "Project"); and has authorized the Dormitory Authority of the State of New York, (the "Authority"), to provide for the refinancing of not to exceed one-half of the amount of capital costs of the Project by the issuance of its bonds, (the "Bonds"), and in furtherance thereof and after discussion of the provisions of the proposed Agreement, wishes to authorize approval of the form and substance of the proposed Agreement among the Local Sponsor, the Authority and the Community College, pertaining, among other matters, to said proposed Authority refinancing of one-half of the capital costs of said Project and to grant approval to the Board of Trustees of the Community College to execute and deliver the Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Erie County Legislature, as follows:

Section 1. The Erie County Executive is hereby authorized to execute and deliver to the New York State Dormitory Authority an agreement for refinancing of the State of New York's 50% share of the capital costs of certain facilities of the Community College financed by certain Series 1993A and 1999A bond issues of the Authority, subject to the approval of the content of such Agreement by the Erie County Comptroller, and subject to the approval of the form of said Agreement by the Erie County Attorney, The execution thereof by the County Execution shall constitute conclusive evidence of the approval of the Local Sponsor.

Section 2. The Local Sponsor also hereby grants approval to the Board of Trustees of the Community College to authorize the approval and execution and delivery of the Agreement to the Authority, and the Local Sponsor knows of no regulation or limitation which has been established and prescribed by the State University of New York which would prohibit the Board of Trustees of the Community College from executing the Agreement or carrying out the provisions thereof.

Section 3. The Local Sponsor hereby grants approval to the Board of Trustees of the Community College to do all things necessary and proper to effectuate the performance of the Project in accordance with the provisions of the Agreement.

Section 4. The Local Sponsor hereby represents that it currently intends to continue its operation of the Community College, and does not intend to substantially reduce or "cut back" its operations. The Local Sponsor further represents that its fiscal and economic situation is such that it will be able to continue, in the foreseeable future, financial support for the Community.

Section 5. The County Executive is authorized to execute and deliver all necessary or appropriate documents, and the County Executive and the Comptroller are authorized to furnish all information requested by the Authority in connection with the Local Sponsor, including the furnishing of information required pursuant to the provisions of the Agreement.

Section 6. A certified copy of this Resolution shall be forwarded to the Director of Budget, Management and Finance, the Comptroller, the County Attorney, the President of the Community College, and Executive Director of the Authority.

Section 7. This resolution shall take effect immediately.

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

CHAIRMAN SWANICK directed that a roll call vote be taken.

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

CARRIED UNANIMOUSLY.

FROM DPW

Item 75 – MS. PEOPLES presented the following and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 125

Re: Buffalo & Erie County Main Library Roof Replacement Project. (Comm. 6D-15)

WHEREAS, the Department of Public Works received bids on February 16, 1999 for the Buffalo & Erie County Main Library Roof Replacement Project, and

WHEREAS, the Architect and the Department of Public Works are recommending award to the lowest responsible bidder for the Buffalo & Erie County Main Library Roof Replacement Project,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into a contract for the Buffalo & Erie County Main Library Roof Replacement Project as follows:

McGonigle & Hilger Roofing	
Base Bid	\$1,159,273.00
Alt. #1	\$ 184,000.00
Alt. #7	<u>\$ (29,500.00)</u>
Total	\$1,313,773.00

and be it further,

RESOLVED, that the sum of \$160,000.00 be allocated for a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders in an amount not to exceed the construction contingency, and be it further,

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

RESOLVED, that an amount not to exceed \$42,000.00 be allocated for additional Architectural/Engineering Services necessary to complete the project and, be it further,

RESOLVED, that an additional amount of \$50,000.00 be allocated on a time and material basis, for Consultant full-time site inspection with authorization for the Commissioner of Public Works to expend such funds, and be it further,

RESOLVED, that the sum of \$30,000.00 be allocated for testing, asbestos project monitoring, air sampling, and miscellaneous expenses with authorization for the Commissioner of Public Works to expend said funds, and be it further,

RESOLVED, that the sum of \$35,000.00 be allocated for Project Engineer and Department of Public Works salary expenses with authorization for the Commissioner of Public Works to expend said funds, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the 1998 Main Library Roof Replacement, SFG 845, Fund 490, and the 1999 Main Library Roof Replacement, SFG 142, Fund 490, in the total amount of \$1,630,773.00, and be it further,

RESOLVED, that these authorizations are contingent upon the Legislature's approval of the sale of the 1999 Main Library Roof Capital Bond Funds, 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 Office of Budget, Management & Finance; and one copy to the Library, Main Branch.

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

CARRIED UNANIMOUSLY.

Item 76 – (Comm. 6D-16) Agreement with NYSDOT Seneca Street Bridge 215-RR1 Over Conrail, Town of West Seneca.

Item 77 - (Comm. 6D-17) Agreement with NYSDOT – Glen Avenue Bridges 702 & 704 Over Ellicott Creek, Village of Williamsville.

Item 78 – (Comm. 6D-18) Agreement with NYSDOT – Mill Road Bridge 47-5 Over East Branch of Cazenovia Creek, Village of East Aurora.

Item 79 – (Comm. 6D-19) Agreement with NYSDOT – Cemetery Road Bridge 341-RR1 Over Erie Street & Conrail, Town of Lancaster.

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

Item 80 – MS. PEOPLES presented the following and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 126

Re: Agreement with NYSDOT – Bailey Avenue (CR152) US Route 62, NYS263, Grover Cleveland Highway to NY Route 324, Sheridan Drice town of Amherst. (Comm. 6D-20)

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

CARRIED UNANIMOUSLY.

Item 81 – (Comm. 6D-21) Ralph Wilson Stadium, camper Lot Bath House, Utility Easement (J2-98-11)

Item 82 – (Comm. 6D-22) ECC – City Campus – Fuel Tank Replacement.

Item 83 – (Comm. 6D-23) OPEN ITEM: Erie County Court Facilities.

Item 84 – (Comm. 6D-24) Renovations to EC Holding Center Contingency Fund Increase.

Item 85 – (Comm. 6D-25) Agreement with NYSDOT East Church Street Bridge 488-1 Over Eighteen Mile Creek Town of Eden.

Item 86 – (Comm. 6D-26) Agreement with NYSDOT Maple Road Cr192 Route 263 to Hopkins Road, Town of Amherst.

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

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM AMHERST CENTRAL SCHOOL DISTRICT

Item 87 – (Comm. 6M-1) Letter Opposing Proposed Permanent Sales Tax Exemption of Clothing & Footwear.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LACKAWANNA CITY SCHOOL DISTRICT

Item 88 – (Comm. 6M-2) Resolution Opposing Permanent Sales Tax Exemption on Clothing

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE GREATER BUFFALO COMMUNITY WELLNESS COUNCIL

Item 89 – (Comm. 6M-3) Community Wellness Calendar 3/99

Received and referred to the HEALTH COMMITTEE.

FROM THE NFTA

Item 90 – (Comm. 6M-4) Minutes of Board Meeting Held 1/25/99.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE TOWN OF COLDEN

Item 91 – (Comm. 6M-5) Certified Copy of Resolution Re: Support for Continuation of One-Week Exemptions of Sales tax on Purchases of Clothing in Erie County.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 92 – (Comm. 6M-6) Certified Copy of Resolution Re: Requesting NYS Senate & Assembly to Restore & Increase CHIPS Appropriation in the 1999-2000 State Budget.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE BUFFALO & FORT ERIE PUBLIC BRIDGE AUTHORITY

Item 93 – (Comm. 6M-7) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM ASSEMBLYMAN BURLING

Item 94 – (Comm. 6M-8) Acknowledgement of Receipt of Resolutions.

Received and filed.

FROM THE AUDIT COMMITTEE FOR ERIE COUNTY

Item 95 – (Comm. 6M-9) Annual Report for Year Ended 12/31/97.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE MENTAL HYGIENE COMMUNITY SERVICES BOARD

Item 96 – (Comm. 6M-10) HUD Grant Information Requested at the Health Mental Health Committee Meeting.

Received and referred to the HEALTH COMMITTEE.

FROM THE ECIDA

Item 97 – (Comm. 6M-11) Notice of Board of Directors Meeting Held 3/17/99.

Received and filed.

FROM THE TOWN OF AMHERST

Item 98 – (Comm. 6M-12) Opposing the Elimination of Sales Tax on Clothing & Footwear.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE AMHERST TOWN BOARD

Item 99 – (Comm. 6M-13) Opposed to Eliminating Sales Tax on Clothing & Footwear.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE VILLAGE OF ANGOLA

Item 100 – (Comm. 6M-14) Opposed to Eliminating Sales Tax on Clothing & Footwear.  
Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM OTB

Item 101 – (Comm. 6M-15) Minutes of Board of Directors Meeting Held 1/28/99.  
Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE CITY OF TONAWANDA

Item 102 – (Comm. 6M-16) Opposing Permanent Exemption of Sales Tax on Clothing & Footwear.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE

FROM THE MENTAL HYGEINE COMMUNITY SERVICES BOARD

Item 103 – (Comm. 6M-17) Notice of Board of Meeting to be Held 3/18/99.  
Received and referred to the HEALTH COMMITTEE.

FROM THE BUFFALO BOARD OF EDUCATION  
DIVISION OF PLANT & SCHOOL PLANNING

Item 104 – (Comm. 6M-18) All High Stadium Reconstruction Costs.  
Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE ERIE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

Item 105 – (Comm. 6M-19) Notice of Meeting Held 3/15/99.  
Received and filed.

FROM THE COMMITTEE TO SAVE THE FIRST WARD

Item 106 – (Comm. 6M-20) Letter to Legislator Fitzpatrick Re: Opposing the Relocation of Buffalo Zoo to First Ward.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM MARTIN J. WALTERS



Item 107 – (Comm. 6M-21) Proposal to Create a Buffalo Region & Western New York Film Office.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE TIOGA COUNTY LEGISLATURE

Item 108 – (Comm. 6M-22) Certified Copy of Resolution Re: Supporting Increases in NYS Funding for Expanded In-Home Services for Elderly & Community Services Prog.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 109 – (Comm. 6M-23) Certified Copy of Resolution Re: Memorialization of Support for State Funding of Soil & Water Conservation Districts.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE TOWN OF SARDINIA

Item 110 – (Comm. 6M-24) Resolution Opposing Permanent Exemption of Sale Tax on Clothing & Footwear.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM ASSEMBLYMAN SMITH

Item 111 – (Comm. 6M-25) Copy of Letter of Assembly Speaker Silver Re: Seeking Increase Funding for CHIPS in the Executive Budget.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM ASSEMBLYMAN BURLING

Item 112 – (Comm. 6M-26) Acknowledgement of Receipt of Resolutions.

Received and filed.

FROM THE GREATER BUFFALO CONVENTION & VISITORS BUREAU

Item 113 – (Comm. 6M-27) Letter to Chairman Swanick Re: Update on Can-Am Police – Fire Games 2002 Bid Effort.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

MEMORIAL RESOLUTIONS

Item 114 – MS. MARINELLI requested that when this legislature adjourns, it do so in memory of Charles “Chappy” LaDuca, long time employee in the County Finance & Management Department.

**ADJOURNMENT**

Item 115 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MS. PEOPLES moved that the Legislature adjourn until **2:00 p.m., Thursday, April 15, 1999**. MR. OLMA seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature **adjourned until Thursday, April 15, 1999 at 2 P.M. Eastern Standard Time.**

**LAURIE MANZELLA  
CLERK**