

**ERIE COUNTY LEGISLATURE
MEETING NO. 9
May 6, 1999**

The Legislature was called to order by Chairman Swanick.

All Members Present.

The Invocation was led by Bishop William Henderson, of the El Bethel Assembly.

The Pledge of Allegiance was led by Mrs. Fisher.

MS. PEOPLES moved to approve the minutes of Meeting 8 of 1999. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

MISCELLANEOUS RESOLUTIONS

Item 1 – MR. LARSON presented a resolution of Celebration of the Village of Lancaster's Sesquicentennial. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 2 – MR. WEINSTEIN presented a resolution Honoring Irving J. Lorch for 50 Years of Active Service with the Hutchinson Hose Fire Company. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 3 – MR. LARSON presented a resolution Celebrating Al and Irene Jaskier's 50th Wedding Anniversary. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 4 – MS. MARINELLI presented a resolution Honoring Four Women Leaving Erie County Commission on the Status of Women. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 5 – MR. SWANICK presented a resolution Honoring Frank Caruso and Becky Muscoreil, Man and Woman of the Year, Town of Tonawanda Democratic Committee. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 6 – MR. SWANICK presented a resolution Honoring Participants in Catholic Youth Day in Erie County Government. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 7 –MR. HOLT presented a resolution Congratulating Turner/Carroll High School on their 1998-99 Championship Season. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 8 – MS. PEOPLES presented a resolution memorializing Thelma Grinage Clark. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 9 - MS. CHASE presented a resolution recognizing Dr. Mary Jo Orzech as the 1999 recipient of the Imaculata Academy's Alumnae Spirit Award. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 10 – MS. CHASE presented a resolution honoring the St. Bonaventure University Master's in Professional Leadership Program as the Hamburg Chamber of Commerce's Recipient of the 1998 Pace Setter Award. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

Item 11 – MS. CHASE presented a resolution honoring World Gym as the Hamburg Chamber of Commerce's Recipient of the 1998 Entrepreneur of the Year Award. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 12 – MS. CHASE presented a resolution honoring Buffalo Computer Graphics as the Hamburg Chamber of Commerce's Recipient of the 1998 Pace Setter Business of the Year Award. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 13 - MS. CHASE presented a resolution honoring The Village of Hamburg as the Hamburg Chamber of Commerce's Recipient of the 1998 Pace Setter Award. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 14 – MR. WEINSTEIN presented a resolution honoring Tom Toles. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 15 – MR. WEINSTEIN presented a resolution honoring Mary Lou Rath. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 16 - CHAIRMAN SWANICK directed that Local Law Intro No. 1 (Print #1) 1998 remain on the table and in the HEALTH COMMITTEE.

Item 17 - CHAIRMAN SWANICK directed that Local Law Intro. No. 3 (Print#1) 1999 remain on the table and in the PUBLIC SAFETY COMMITTEE.

Item 18 – CHAIRMAN SWANICK directed that Local Law Intro. No. 4 (Print #1) 1999 remain on the table.

COMMITTEE REPORTS

None.

LEGISLATORS RESOLUTIONS

Item 19 – MR. LARSON presented the following and requested that it be referred to the FINANCE & MANGEMENT COMMITTEE.

GRANTED.

Intro 9–1 From LEGISLATOR LARSON Re: The Possible Reuse of and or Sale of Bleachers From Ralph C. Wilson Jr. Stadium.

Item 20 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 163

Re: Funding for Community Organizations (Int. 9-2)

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 \$9,377 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>
WILLIAMSVILLE BUSINESS & PROFESSIONAL ORG.	N/A	\$1,550
WILLIAMSVILLE / HUTCHINSON HOSE CO.	830/0851	\$1,500
SUMMERFARE MUSICAL THEATRE COMPANY	830/0889	\$1,077
AMHERST MUSEUM	830/0887	\$1,000
WILLIAMSVILLE BICENTENNIAL	N/A	\$1,500
AMHERST YOUTH BOARD	830/0865	\$1,000
AMHERST SAXOPHONE QUARTET	830/0395	\$500
AMHERST ADULT DAY SERVICES	N/A	\$500
AMHERST SYMPHONY ORCHESTRA	830/0654	\$500
ERIE COUNTY COUNCIL FOR THE PREVENTION OF ALCOHOL & SUBSTANCE ABUSE, INC.	830/0651	\$250

TOTAL

\$9,377

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, Jim Cotter – Administrative Assistant Department of Budget, Management and Finance, Jennifer Anger – Administrative Assistant Erie County Legislature, and three (3) copies to First Assistant County Attorney Alan Gerstman and one (1) copy each to Anthony Ogorek, President Village of Williamsville Business and Professional Association (c/o Ogorek Capital Management, 5500 Main St. Williamsville, NY 14221), Thomas J. Meldrum, Chief Williamsville Fire Dept. (5565 Main Street, Williamsville NY, 14221-5409), Randall Kramer, Managing Artistic Director Summerfare Musical Theatre Company (c/o Daeman College, 4380 Main St. #810 Buffalo, NY 14226), Lynn Beman, Executive Director Amherst Museum (3755 Tonawanda Creek Road, Amherst, NY 14228-1599), Mayor Basil J. Piazza, Village of Williamsville (5565 Main Street Williamsville, NY 14221), Joseph E. Bachovcin, Executive Director Town of Amherst Youth Board (Harlem Road Community Center, 4255 Harlem Road, Amherst, NY 14226), Stephen Rosenthal, Executive Director, Amherst Saxophone Society, Inc. (137 Eagle Street, Buffalo, NY 14221-5721), JoEllen Alvarez Amherst Adult Day Services, (Clearfield Community Center, 730 Hopkins Road Williamsville, NY 14221), and Sally Yaegeric Parent Program Coordinator, Erie County Council on Prevention of Alcohol & Substance Abuse, (220 Delaware Avenue, Suite 409, Buffalo, NY 14202.)

Fiscal Impact: Appropriation of 1999-budgeted funds.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 164

Re: Supporting Formation of the Western Erie
Canal Heritage Corridor Planning Commission
(Int. 9-3)

WHEREAS, the five counties of Erie, Niagara, Orleans, Monroe and Wayne share a common historical, recreational and economic resource known as the Erie Canal; and

WHEREAS, the Erie Canal has a significant importance to our local, regional, state and national growth and development; and

WHEREAS, New York State has targeted the Erie Canal corridor for tourism development; and

WHEREAS, collaboration between the communities within these counties will result in improved regional marketing of heritage tourism sites throughout the area; and

WHEREAS, designation of the five county area may result in additional resources to promote the area for heritage tourism;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby go on record as supporting the designating of the five county area, representing Erie, Niagara, Orleans, Monroe and Wayne counties, by New York State as a statewide Heritage Area Corridor; and be it further

RESOLVED, that this Honorable Body supports the formation of the Western Erie Canal Heritage Corridor Planning Commission to prepare a corridor-wide management plan for the five county area, and be it further

RESOLVED, that this Honorable Body does hereby memorialize the New York State Senate and Assembly to pass and Governor Pataki to sign into law S.2315 and A.4126 establishing the Western Erie Canal Heritage Corridor Planning Commission, and be it further

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

Fiscal Impact: None for this resolution.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 165

Re: Support for Senior Citizen services and Public Safety Initiatives. (Int. 9-4)

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

WHEREAS, the Sheriff's Department has identified a shortfall in funding for Riverwalk Security, and will require additional funds for mounted patrols, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$15,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Supportive Services Corp.	830/0235	\$15,000
TOTAL		\$15,000

and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$20,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 931, Department 150, Erie County Sheriff's Office – Personal Services (DAC: 110931150800), and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, Sheriff Patrick M. Gallivan, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, Jackie Mullen - Administrative Assistant Department of Budget Management and Finance, Jennifer Anger - Administrative Assistant Erie County Legislature, and three (3) copies to First Assistant County Attorney Alan Gerstman and one copy to Raymond F. Gallagher, Executive Director Supportive Services, (245 Elmwood Ave., Buffalo, NY 14222.)

Fiscal Impact: Appropriation of 1999-budgeted funds.

MS. PEOPLES moved to amend the resolution. MR. FITZPATRICK 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, the Sheriff's Department has identified a shortfall in funding for Riverwalk Security, and will require additional funds for mounted patrols, 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 has authorized the removal of debris from Ellicott Creek Park through a contractual agreement with the Erie County Soil and Water Conservation District, and

WHEREAS, work was completed early this year, and

WHEREAS, additional work over and above that which was stipulated within the contractual agreement was performed by county employees within the Parks Department, and

WHEREAS, funds must be transferred to the Parks Department budget to cover these costs, 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 authorize the transfer of \$17,000 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>
Supportive Services Corp.	830/0235	\$15,000
International Institute Of Buffalo	830/0209	\$2,000
TOTAL		\$17,000

and be it further

RESOLVED, that the Erie County legislature does hereby approve the transfer of \$20,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 931, Department 150, Erie County Sheriff's Office-Personal Services (DAC: 110931150800), and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$8,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to the Department of Parks, Recreation and Forestry, Fund 110, Project 942, Department 640, as follows:

Transfer \$4,121 to Overtime (DAC:110942640801000)
Transfer \$133 to Clothing Supplies (DAC:110942640811)
Transfer \$2,239 to Maintenance Supplies (DAC:110942640816)
Transfer \$1,507 to Repairs & maintenance (DAC:110942640823)

and be it further

RESOLVED, that the Clerk of the Legislature, the Director of the Division of Budget, Management & Finance, the Erie County Sheriff and the Commissioner of Parks are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds,

and be it further

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

and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, Sheriff Patrick M. Gallivan, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, Jim Cotter – Administrative Assistant Department of Budget Management and Finance, Jennifer Anger – Administrative Assistant Erie County Legislature, and three (3) copies to First Assistant County Attorney Alan Gerstman and one (1) copy each to Raymond F. Gallagher, Executive Director Supportive Services, (245 Elmwood Ave., Buffalo, NY 14222), Parks Commissioner James Jankowiak, and to Hinke Boot, Executive Director, International Institute of Buffalo, (864 Delaware Avenue, Buffalo, NY 14209.)

Fiscal Impact: Appropriation of 1999-budgeted funds.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 166

Re: Agreement Between the County of Erie and Geneva B. Scruggs Community Health Care Center Inc. (Int. 9-5)

WHEREAS, the Geneva B. Scruggs Community Health Care Center, Inc. and the County of Erie (hereinafter the "County") entered into a lease for the premises at the Geneva B. Scruggs Clinic in Old School 84 (567 Kensington) on the grounds of the Erie County Medical Center in the City of Buffalo, County of Erie, New York which lease expired as of March 31, 1995, leaving GBS as a holdover tenant to the current time; and

WHEREAS, by the lease terms, GBS was to pay rent of \$1 per year plus pay all utilities; and

WHEREAS, GBS has not paid the utilities for several years, and thus currently owes the County \$377,934 for back utility payments on the School 84 premises; and

WHEREAS, in addition, GBS has not paid the utility bills for the Intermediate Care Facility (hereinafter the "ICF"), and thus owes the County \$159,809 for back utility payments on the ICF premises; and

WHEREAS, GBS was given notice on or about April 29, 1998 to vacate the premises no later than July 1, 1998; and

WHEREAS, during negotiations between the parties, possession by GBS continued after the July 1, 1998 deadline, but the County can no longer extend such possession; and

WHEREAS, GBS was again given notice on or about March 4, 1999 to vacate the premises no later than June 1, 1999; and

WHEREAS, commencing June 1, 1999, the County will be landlord to Community Health Care of Buffalo, Inc. (hereinafter "CHC") for the premises in the Old School 84 now occupied by GBS; and

WHEREAS, GBS has requested additional time in order to make a complete and smooth transition into new premises elsewhere; and

WHEREAS, in order to forego any lawsuit between the parties;

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby authorizes and directs the County Attorney to enter into an agreement with the Geneva B. Scruggs Community Health Care Center, Inc. ("GBS") whereby GBS and the County of Erie stipulate and agree:

1. By December 31, 2000, GBS shall pay the County \$159,809 in full settlement of the outstanding utility payments it owes the County for the ICF premises, and such payment shall be made in equal monthly installments.
2. As of May 1, 1999, GBS shall remain current on all prospective utility bills for ICF.
3. GBS may remain on the premises until July 1, 1999 and shall vacate those parts of the premises as necessary for the renovations commencing June 1, 1999 by the County and for commencement of services there as of June 21, 1999 by Community Health Care of Buffalo, Inc. ("CHC").
4. As of June 1, 1999, GBS shall no longer provide clinical care at the Geneva B. Scruggs Clinic in Old School 84, but will continue to provide non-clinical services at that site until July 1, 1999.
5. In consideration of the above, the County of Erie, together with ECMC agrees:
 - (a) The County waives \$377,934 due in back utility payments for the premises at Old School 84.
 - (b) GBS may remain on the premises for the provision of non-clinical services during GBS's transition to their new facility until July 1, 1999 subject to the conditions outlined above.
6. Any breach of this agreement by GBS will result in the full \$377,934 becoming immediately due and payable to the County, and a reconsideration by the County of all other agreements and arrangements with GBS. The County reserves all its rights to any and all legal remedies, and it will proceed with eviction of GBS from the premises at Old School 84; and be it further

RESOLVED, the Erie County Legislature hereby waives the obligation by Geneva B. Scruggs Community Health Care Center, Inc. to pay \$377,934 due to the County for back utility payments owing from GBS' occupancy of the Old School 84 premises under the lease, provided that the terms and conditions of the above referenced agreement are fulfilled and not breached by GBS; and be it further

RESOLVED, that certified copies of this resolution be provided to the County Attorney, the Chief Operating Officer of ECMC, the County Budget Director, the County Executive and the County Comptroller.

Fiscal Impact: To be determined.

MS. PEOPLES moved to amend the resolution by adding Legislators Pauly and Weinstein as co-sponsors. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 24 – MR. MARSHALL moved to discharge the GOVERNMENT AFFAIRS COMMITTEE from further consideration of Intro 6-6. MR. GREENAN seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

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

MOTION FAILED.

CHAIRMAN SWANICK directed that Intro 6-6 remain in the GOVERNMENT AFFAIRS COMMITTEE.

SUSPENSION OF THE RULES

Item 25 – MR. KUWIK moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 9E-6 From: County Executive Gorski Re: Appointment of Kevin Comerford as Commissioner of Central Police Services.

CHAIRMAN SWANICK directed that Comm. 9E-6 be referred to the PUBLIC SAFETY COMMITTEE.

Item 26 – MR. GREENAN moved for a suspension of the rules to include an item not on the agenda. MS. MARINELLI seconded.

GRANTED.

Resolution No. 167

Re: Resolution Authorizing the Appointment of County Representatives to the Ontario Lake Plains Resource Conservation and Development (RC&D) Council. (Intro. 9-6)

WHEREAS, an on-going study is being conducted regarding the conditions and uses of our natural resources by a group of representatives from the five counties inclusive of Niagara, Orleans, Genesee, Monroe, and Wayne Counties, and

WHEREAS, those counties have joined together for the formation of the Ontario Lake Plains Resource Conservation and Development Council (RC&D), and

WHEREAS, the Ontario Lake Plains RC&D has been approved by the United States Secretary of Agriculture, and

WHEREAS, the Erie County Legislature on November 19, 1998 did pass a resolution requesting annexation into the Ontario Lake Plains RC&D, and

WHEREAS, the Ontario Lake Plains RC&D on January 21, 1999 did pass a resolution agreeing to admit Erie County into the Council with full voting rights and responsibilities and on April 19, 1999 submitted to the Secretary of Agriculture the attached application for annexation, and

WHEREAS, the bylaws of the Ontario Lake Plains RC&D require each member county to appoint three (3) representatives and their alternatives to the Council,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the following representatives to serve as voting members of the Ontario Lake Plains RC&D on behalf of the County of Erie:

Legislator Lynn Marinelli, Legislative Representative
Mr. Brad Rybczynski, Alternate

Legislator John Greenan, SWCD Representative
Mr. Michael Szymanski, Alternate

Ms. LuAnn Freeman, At-Large Representative

Mr. Don Stribick, Alternate

AND BE IT FURTHER RESOLVED, that the above appointments shall serve until a replacement is appointed and shall become effective immediately,

AND BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Legislator Lynn Marinelli, Legislator John Greenan, and Ms. LuAnn Freeman.

Fiscal Impact: None for this resolution

MR. GREENAN moved the adoption of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 27 – (Comm. 9E-1) BPI Application TEA-21. Response to City of Buffalo Re: County Funding for Enhanced Lighting Program on Buffalo's Pedestrian Mall.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 28 – (Comm. 9E-2) Appropriation of \$25,000 to Atlantic Corridor USA, Inc. for Economic Development Purposes.

Item 29 – (Comm. 9E-3) Contracts with the Bethlehem Steel Corp. and Lackawanna Community Development Corporation for a Local Traffic Impact Study of Route 5 Corridor.

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

Item 30 – (Comm. 9E-4) Department of Health Women's Health Services Program 4/1/99 – 3/31/00.

Received and referred to the HEALTH COMMITTEE.

Item 31 – (Comm. 9E-5) Property of Acquisition and Lease-Cheektowaga Overflow Retention Facility.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM ECC

Item 32 – (Comm. 9D-1) Notice of Board of Trustees Special Meeting Held 5/5/99 and Notice of Monthly Meeting to be Held 5/19/99.

Received and filed.

FROM THE COMMISSION ON THE STATUS OF WOMEN

Item 33 – (Comm. 9D-2) Minutes of Meeting Held 4/14/99.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM DPW

Item 34 – (Comm. 9D-3) Supplemental Agreements with NYSDOT Clarence Center Road Bridge 217-2 Over Ransom Creek BIN 3-32644-0, Town of Clarence.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM ECMC

Item 35 – (Comm 9D-4) Notice of Board of Managers Finance Committee Meeting to be Held 5/7/99.

Item 36 – (Comm. 9D-5) Notice of Board of Managers Regular Meeting to be Held 5/13/99.

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

FROM DPW

Item 37 – (Comm. 9D-6) SEQR Notice of Determination of Non Significance Erie County Courts Master Plan Implementation Project EC DPW Project No. MJ-97-1.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM ECC

Item 38 – (Comm. 9D-7) Minutes of Board of Trustees Special Meeting Held 3/18/99.

Received and filed.

FROM DPW

Item 39 – (Comm. 9D-8) Main Library Mechanical System and Building Rehabilitation, Phase IV A/E, Supplemental Agreement.

Item 40 – (Comm. 9D-9) 1999 Overlay “A” Program Project No. CHIPS OP-99A Towns of Amherst, Cheektowaga and Tonawanda.

Item 41 – (Comm. 9D-10) Erie County Correctional Facility Electronic Security System.

Item 42 – (Comm. 9D-11) North Forest Road, CR 294 Route 263 (Millersport Highway) to Dodge Road Town of Amherst PIN 5753.74.

Item 43 – (Comm. 9D-12) Glenwood-East Concord Road Bridge 30-2 NY Route 240X BIN 3-04246-0 Over Spencer Brook PIN 5754.53 Town of Concord.

Item 44 – (Comm. 9D-13) Two Rod Rd. Bridge 547-1 Over Tributary to Cayuga Creek, Town of Alden Strickler Rd. Bridge 269-2 Over Tributary to Beeman Creek, Town of Clarence.

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

FROM ECC

Item 45 – (Comm. 9D-14) Notice of Board of Trustees Committee Meetings to be Held 5/7/99 and 5/13/99.

Received and filed.

COUNTY ATTORNEY

Item 46 – (Comm. 9D-15) Notice of County Executive’s Public hearing Re: Intros. 7-3, 7-14, 7-15, 8-7, 8-8, 8-9, & 8-10; Communications 7E-16 & 7E-30.

Received, filed and printed.

April 30, 1999

Ms. Laurie Manzella
Clerk of the Legislature
25 Delaware Avenue
Buffalo, New York 14202

Re: Notice of Public Hearing-Resolutions Ref. Intro. 7-3, 7-14, 7-15, 8-7, 8-8, 8-9, and 8-10; Comm. 7E-16 and 7E-30

Dear Ms. Manzella:

Enclosed herewith is a copy of a Notice of Public Hearing for the above-captioned resolutions adopted by the Legislature on April 14th and April 29th, 1999.

Please post copies of this notice in the offices of the County Legislature and on the public notice board in the Foreclosure Alcove on the first floor of Old County Hall for the information of the public.

Very truly yours,

KENNETH A. SHOETZ
Erie County Attorney

BY: ALAN P. GERSTMAN
1st Assistant County Attorney

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that Erie County Executive, Dennis T. Gorski, will hold a public hearing Tuesday, May 11, 1999 at 11:00 a.m., concerning appropriations from the County contingency fund and from unanticipated revenue for the following purposes:

Erie Community College Targeted Small Business Scholarship Program	\$50,000.00
University Heights Community Development Agency	\$8,200.00
Village of Kenmore Centennial Committee	\$5,000.00
Ken-Ton Musical Theatre Workshop	\$2,500.00
Department of Environment and Planning - US/Canada Bridge Study	\$150,000.00
Department of Veterans Services - Defenders of Freedom Memorial	\$20,000.00
Department of Veterans Services - Destroyers Escort Sailors Association	\$500.00
Legislature 1999 Personal Services	\$4,726.00
Doyle Hose Co. #1	\$1,000.00
Doyle Fire Co. #2	\$1,000.00
Southline Fire District #10	\$1,000.00
Cheektowaga Patriotic Commission, Inc.	\$500.00
Social Service Facility Location and Planning Inventory Database (Central Referral Service)	\$20,000.00

Buffalo and Erie County Public Library - Clarence Library	\$8,000.00
Buffalo and Erie County Public Library - Akron Library	\$1,500.00
Lackawanna Senior Citizen Center	\$2,500.00
Hamburg Senior Services	\$2,500.00

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 April 15, 1999, the Erie County Legislature adopted Resolutions Reference Number Int. 7-3, 7-14, and 7-15; and on April 29, 1999 the Erie County Legislature adopted Resolutions Reference Numbers Comm. 7E-16 and 7E-30, and Int. 8-7, 8-8, 8-9, and 8-10 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 of 25 Delaware Avenue, in the City of Buffalo, New York.

DENNIS T. GORSKI
Erie County Executive

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM ASSEMBLYMAN SILVER

Item 47 – (Comm. 9M-1) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM NYSDEC

Item 48 – (Comm. 9M-2) Fact Sheet 318 Urban Street NYSDEC Site No. 9-15-151.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM ASSEMBLYMAN SILVER

Item 49 – (Comm. 9M-3) Acknowledgement of Receipt of Resolutions.

Received and filed.

FROM THE PUTNAM COUNTY LEGISLATURE

Item 50 – (Comm. 9M-4) Certified Copy of Resolution Re: Opposing Permanent Elimination of Sales Tax on Clothing and Foot Wear.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 51 – (Comm. 9M-5) Certified Copy of Resolution Re: Asking NYS To Retain Full Funding for Board of Coop. Educ. Services (BOCES) in the 1999 Budget and Beyond.

Received and filed.

FROM THE ECIDA

Item 52 – (Comm. 9M-6) Notice of Board of Directors Meeting to be Held 5/12/99.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

MEMORIAL RESOLUTIONS

Item 53 – MS. PEOPLES moved that when this Legislature adjourns, it do so in memory of Myrtle Burnette Bailey.

Item 54 – MR. SWANICK moved that when this Legislature adjourns, it do so in memory of the victims of the tornadoes in the mid-west.

ADJOURNMENT

Item 55 – 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, May 20, 1999**. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature **adjourned until Thursday, May 20, 1999 at 2:00 P.M. Eastern Standard Time.**

**LAURIE MANZELLA
CLERK**