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Comptroller Mark C. Poloncarz argues the Erie County Charter gives elected department heads authority to propose and manage their own budgets and also protects them from severe staff cuts.

Derek Gee / News file photo

Poloncarz to revisit suit over budget cuts

By **Matt Gryta**

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With the 2011 Erie County budget completed, Comptroller Mark C. Poloncarz on Friday relaunched his court fight against County Executive Chris Collins over funding of Poloncarz's office.

A hearing is scheduled Wednesday before State Supreme Court Justice Joseph R. Glownia on Poloncarz's bid for a court order to protect his staff.

The case has been reassigned from Justice Gerald J. Whalen.

On Nov. 19, Whalen dismissed the comptroller's suit, ruling that it was "not yet ripe for judicial determination" because the county's budget had yet to be completed.

Subsequently, Timothy J. Whalen, the brother of the judge, was appointed to fill a vacancy on the County Legislature, requiring the change of judges.

Poloncarz said he is looking forward to the hearing now that the County Legislature has fully funded his office.

Collins, who has been at odds with the comptroller for more than two years, had recommended the Legislature cut 15 jobs from the comptroller's 42-member staff.

Poloncarz argued that such a cut would have severely harmed his department's ability to keep track of county spending. Neither the county executive nor his spokesmen could be reached to comment.

In launching his court fight against the county executive last month, Poloncarz argued that the Erie County charter gives elected department heads authority to propose and manage their own budgets and also protects them from severe staff cuts.

Collins ran a candidate against Poloncarz in 2009 and sought to have Poloncarz's staff cut by 36 percent — far deeper than the modest changes he imposed on departments run by the elected sheriff, district attorney and county clerk.

mgryta@buffnews.com

Comments

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Poloncarz is paying his own bill and suggested the County Exe do the same.

GAYLE SYPOSS, TONAWANDA, NY on Sun Dec 19, 2010 at 03:44 AM

FLAG AS INAPPROPRIATE

How can you have accountability in government if you weaken accountability oversight?