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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

October 22, 2012

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Re: Reaffirming the name "Sgt. Mark A. Rademacher Memorial Park/Hunter's Creek Park"

Dear Honorable Members:

During a recent review of Hunter Creek Park's history, it was discovered that the method used to rename the park "Sgt. Mark A. Rademacher Memorial Park/Hunter's Creek Park" did not follow the established renaming process. The Erie County Legislature adopted a Legislator's Resolution in 1983 urging the County Executive to take the steps necessary to change the name from "Hunters Creek Park" to "Sgt. Mark A. Rademacher Memorial Park." The County Executive at that time subsequently rededicated the site "Sgt. Mark A. Rademacher Memorial Park/Hunter's Creek Park." However, the established naming process does not give the Legislature the ability to initiate the naming of property or facilities it does not supervise or control, nor does it give the Executive the ability to name facilities or property without receiving prior legislative authorization. Therefore, the park was not officially renamed. Attached is a resolution which will reaffirm the name change that occurred in 1983 and make that change official.

Should your honorable body require further information, I encourage you to contact Troy Schinzel at the Department of Parks, Recreation and Forestry. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/bb
Enclosure

cc: Troy Schinzel, Department of Parks, Recreation and Forestry

MEMORANDUM

To:	Honorable Members of the Erie County Legislature
From:	Department of Parks, Recreation and Forestry
Re:	Reaffirming the name "Sgt. Mark A. Rademacher Memorial Park/Hunter's Creek Park"
Date:	October 22, 2012

SUMMARY

This Department of Parks, Recreation and Forestry is requesting the County Legislature reaffirm the 1983 renaming of "Hunters Creek Park" to "Sgt. Mark A. Rademacher Memorial Park/Hunter's Creek Park."

FISCAL IMPLICATIONS

None.

REASONS FOR RECOMMENDATION

Erie County wishes to maintain a uniform process for the naming of its facilities and property. The established naming process is for the Department that supervises and controls the facility or property to first request authorization to change the name from your honorable body prior to the Legislature authorizing the naming. The established naming process does not give the Legislature the ability to initiate the naming of property or facilities it does not occupy, nor does it give the Executive the ability to name facilities or property without receiving prior legislative authorization. Although it was the intention of the County Executive and County Legislature in 1983 to rename this park "Sgt. Mark A. Rademacher Memorial Park/Hunter's Creek Park," the legitimacy of this name is in question because the established process was not followed. This resolution will bring the renaming of this park in conformity with the established process.

BACKGROUND INFORMATION

During a recent review of Hunter Creek Park's history, it was discovered that the method used to rename the park "Sgt. Mark A. Rademacher Memorial Park/Hunter's Creek Park" did not follow the established renaming process. The Erie County Legislature adopted a Legislator's Resolution in 1983 urging the County Executive to take the steps necessary to change the name of "Hunters Creek Park" to "Sgt. Mark A. Rademacher Memorial Park." The County Executive subsequently rededicated the site "Sgt. Mark A. Rademacher Memorial Park/Hunter's Creek Park" without requesting and receiving Legislature authorization to rename the park. Upon review of the Department of Parks, Recreation and Forestry and the County Attorney, it was concluded that the administration should request authorization from your honorable body to reaffirm the name "Sgt. Mark A. Rademacher Memorial Park/Hunter's Creek Park."

CONSEQUENCES OF NEGATIVE ACTION

The official name of the park will not be "Sgt. Mark A. Rademacher Memorial Park/Hunter's Creek Park."

STEPS FOLLOWING APPROVAL

None.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PARKS, RECREATION AND FORESTRY

Re: Reaffirming the name "Sgt. Mark A. Rademacher Memorial Park/Hunter's Creek Park"

WHEREAS, the proper process for naming an Erie County facility or property is for the Department that supervises and controls the facility or property to request and receive authorization from your honorable body; and

WHEREAS, to honor a 20-year old US Ranger from the Town of Wales who died in the Invasion of Grenada, the Erie County Legislature adopted a Legislator's Resolution in 1983 urging the County Executive to take the steps necessary to change the name of "Hunters Creek Park" to "Sgt. Mark A. Rademacher Memorial Park"; and

WHEREAS, the County Executive at that time rededicated the site "Sgt. Mark A. Rademacher Memorial Park/Hunter's Creek Park" without requesting and receiving authorization from the County Legislature; and

WHEREAS, the park is a 760-acre conservation site within the Erie County park system and is located in the Town of Wales; and

WHEREAS, the park is popularly referred to as both "Sgt. Mark A. Rademacher Memorial Park" and "Hunter's Creek Park"; and

WHEREAS, the Department of Parks, Recreation and Forestry wishes for this honorable body to reaffirm the decision to name the park "Sgt. Mark A. Rademacher Memorial Park/Hunter's Creek Park" and has requested authorization to officially change the name.

NOW, THEREFORE, BE IT

RESOLVED, the 760-acre Erie County park in the Town of Wales shall henceforth be known as "Sgt. Mark A. Rademacher Memorial Park/Hunter's Creek Park"; and be it further

RESOLVED, that the Department of Parks Recreation and Forestry shall continue to install appropriate signage of the name of the Park; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive and the Commissioner of the Department of Parks, Recreation and Forestry.