

At Part _____ of the Supreme Court
of the State of New York, County of
Erie, held at the Courthouse at
Buffalo, New York on

December _____, 2010
Present: Hon.

PAID
CHECK CASH

JAN 14 2011

ERIE COUNTY
CLERKS OFFICE

FD010-12480

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

In the Matter of the Application of
MARIA WHYTE, in her official capacity as Erie County
Legislator for the 6th District
THOMAS J. MAZUR, in his official capacity as Erie County
Legislator for the 8th District
THOMAS A. LOUGHRAN, in his official capacity as Erie
County Legislator for the 14th District
LYNN M. MARINELLI, in her official capacity as Erie
County Legislator for the 11th District

Petitioners,

For a Judgment Pursuant to CPLR Article 78
and for a Declaratory Judgment

ORDER TO SHOW CAUSE
INDEX NO.

-against-

CHRIS COLLINS, in his official capacity as
County Executive,
ERIE COUNTY LEGISLATURE,
BARBARA MILLER-WILLIAMS, in her official capacity as
Erie County Legislator for the 3rd District
DANIEL M. KOZUB, in his official capacity as Erie County
Legislator for the 1st District
TIMOTHY M. KENNEDY, in his official capacity as Erie County
Legislator for the 2nd District
CHRISTINA BOVE, in her official capacity as Erie County
Legislator for the 9th District
BETTY JEAN GRANT, in her official capacity as Erie County
Legislator for the 7th District
EDWARD A. RATH III, in his official capacity as Erie County
Legislator for the 15th District
RAYMOND WALTER, in his official capacity as Erie County
Legislator for the 4th District
JOHN MILLS, in his official capacity as Erie County Legislator
for the 13th District
LYNN DIXON, in her official capacity as Erie County Legislator
for the 12th District
KEVIN HARDWICK, in his official capacity as Erie County

Legislator for the 10th District
DINO FUDOLI, in his official capacity as Erie County Legislator
for the 5th District
ERIE COUNTY

Respondents.

STATE OF NEW YORK
COUNTY OF ERIE

UPON the annexed Verified Petition, verified December 14, 2010 the exhibits attached thereto and upon the affirmation of Marc C. Panepinto, Esq. dated December 14, 2010 and the exhibits attached thereto it is hereby

ORDERED that the Respondents CHRIS COLLINS, ERIE COUNTY LEGISLATURE, BARBARA MILLER-WILLIAMS, DANIEL M. KOZUB; TIMOTHY M. KENNEDY, CHRISTINA BOVE, BETTY JEAN GRANT, EDWARD A. RATH III, RAYMOND WALTER, JOHN MILLS, LYNN DIXON, KEVIN HARDWICK, DINO FUDOLI, and ERIE COUNTY or their attorneys, SHOW CAUSE at a Special Term, Part _____ of this Court at Buffalo, New York on _____ at _____ .m. or as soon thereafter as counsel may be heard,

WHY an Order should not be made declaring those portions of the veto message of Erie County Executive Chris Collins dated December 13, 2010 which purport to declare Legislative actions "null and void" to be invalid and without legal effect; declaring the reductions made by the Erie County Legislature in Amendment "1" to the Erie County 2011 Budget to be valid; declaring the "objections" of the County Executive to the additions to the 2011 Erie County Budget contained in the Amendments as adopted be invalid and without legal effect; it is further;

ORDERED, that pending hearing and determination of the within application, pursuant to CPLR 7805, CPLR 6301 the Respondents, CHRIS COLLINS, ERIE COUNTY LEGISLATURE, BARBARA MILLER-WILLIAMS, DANIEL M. KOZUB; TIMOTHY M. KENNEDY, CHRISTINA BOVE, BETTY JEAN GRANT, EDWARD A. RATH III, RAYMOND WALTER, JOHN MILLS, LYNN DIXON, KEVIN HARDWICK, DINO FUDOLI, and ERIE COUNTY are stayed, enjoined and prohibited from taking any action upon the 2011 Erie County Budget or the above noted veto

message; specifically, the Erie County Legislature is enjoined, restrained and prohibited from voting upon or the above noted veto message

SUFFICIENT CAUSE APPEARING THEREFORE, LET service of a copy of this Order and the papers upon which it was granted upon, CHRIS COLLINS, ERIE COUNTY LEGISLATURE, BARBARA MILLER-WILLIAMS, DANIEL M. KOZUB; TIMOTHY M. KENNEDY, CHRISTINA BOVE, BETTY JEAN GRANT, EDWARD A. RATH III, RAYMOND WALTER, JOHN MILLS, LYNN DIXON, KEVIN HARDWICK, DINO FUDOLI, and ERIE COUNTY, at their usual and customary places of business by personal delivery on or before _____ be deemed good and sufficient service.

ORDERED, that responding papers, if any be served upon Petitioner's attorney by mail on or before the ____ day of _____ 2010.

ORDERED, that reply papers, if any be served up Respondents' attorney by mail or facsimile on or before the _____ day of _____, 2010.

GRANTED:

ENTER: _____

J.S.C.

At a Special Term of the Supreme Court,
held in and for the County of Erie on the
14th day of December, 2010.

PRESENT: HON. JOSEPH R. GLOWNIA
Justice Presiding

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

In the Matter of the Application of
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LYNN DIXON, in her official capacity as Erie County Legislator
for the 12th District
KEVIN HARDWICK, in his official capacity as Erie County

FILED
ACTIONS & PROCEEDINGS
DEC 14 2010
ERIE COUNTY
CLERK'S OFFICE

ORDER
INDEX NO. 2010- 12480

Legislator for the 10th District
DINO FUDOLI, in his official capacity as Erie County Legislator
for the 5th District
ERIE COUNTY

Respondents.

Upon reading the annexed Order to Show Cause and the Verified Petition dated December 14, 2010 with attached exhibits and upon the Affirmation of Marc C. Panepinto, Esq. dated December 14, 2010 with the attached exhibits, it is hereby

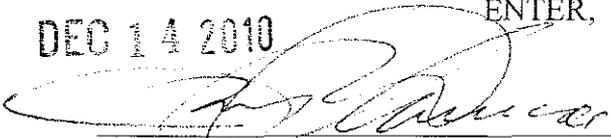
ORDERED, that the Petitioner's request for a temporary restraining order is hereby denied; and it is further

ORDERED, granting Petitioner's declaratory judgment as follows:

1. The Erie County Charter does not permit the County Executive to declare reductions to the budget null and void.
2. The Erie County Legislature's 2010 budget reduction amendments complied with 2608 of the Erie County Charter.
3. The Erie County Legislature's 2010 budget amendments were filed prior to the forty-eight hour period requiring a line item vote.

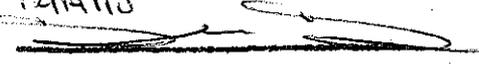
DEC 14 2010

ENTER,


Hon. Joseph R. Glowonia, J.S.C.

GRANTED

12/14/10


DEBORAH DRAKE
COURT CLERK

At Part _____ of the Supreme Court
of the State of New York, County of
Erie, held at the Courthouse at
Buffalo, New York on

December _____, 2010
Present: Hon. _____

PAID
CHECK _____ CASH _____

DEC 14 2010

ERIE COUNTY
CLERKS OFFICE

2010-12480

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

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ERIE COUNTY

Respondents.

STATE OF NEW YORK
COUNTY OF ERIE

UPON the annexed Verified Petition, verified December 14, 2010 the exhibits attached thereto and upon the affirmation of Marc C. Panepinto, Esq. dated December 14, 2010 and the exhibits attached thereto it is hereby

ORDERED that the Respondents CHRIS COLLINS, ERIE COUNTY LEGISLATURE, BARBARA MILLER-WILLIAMS, DANIEL M. KOZUB; TIMOTHY M. KENNEDY, CHRISTINA BOVE, BETTY JEAN GRANT, EDWARD A. RATH III, RAYMOND WALTER, JOHN MILLS, LYNN DIXON, KEVIN HARDWICK, DINO FUDOLI, and ERIE COUNTY or their attorneys, SHOW CAUSE at a Special Term, Part _____ of this Court at Buffalo, New York on _____ at _____ .m. or as soon thereafter as counsel may be heard,

WHY an Order should not be made declaring those portions of the veto message of Erie County Executive Chris Collins dated December 13, 2010 which purport to declare Legislative actions "null and void" to be invalid and without legal effect; declaring the reductions made by the Erie County Legislature in Amendment "1" to the Erie County 2011 Budget to be valid; declaring the "objections" of the County Executive to the additions to the 2011 Erie County Budget contained in the Amendments as adopted be invalid and without legal effect; it is further;

ORDERED, that pending hearing and determination of the within application, pursuant to CPLR 7805, CPLR 6301 the Respondents, CHRIS COLLINS, ERIE COUNTY LEGISLATURE, BARBARA MILLER-WILLIAMS, DANIEL M. KOZUB; TIMOTHY M. KENNEDY, CHRISTINA BOVE, BETTY JEAN GRANT, EDWARD A. RATH III, RAYMOND WALTER, JOHN MILLS, LYNN DIXON, KEVIN HARDWICK, DINO FUDOLI, and ERIE COUNTY are stayed, enjoined and prohibited from taking any action upon the 2011 Erie County Budget or the above noted veto

message; specifically, the Erie County Legislature is enjoined, restrained and prohibited from voting upon or the above noted veto message

SUFFICIENT CAUSE APPEARING THEREFORE, LET service of a copy of this Order and the papers upon which it was granted upon, CHRIS COLLINS, ERIE COUNTY LEGISLATURE, BARBARA MILLER-WILLIAMS, DANIEL M. KOZUB; TIMOTHY M. KENNEDY, CHRISTINA BOVE, BETTY JEAN GRANT, EDWARD A. RATH III, RAYMOND WALTER, JOHN MILLS, LYNN DIXON, KEVIN HARDWICK, DINO FUDOLI, and ERIE COUNTY, at their usual and customary places of business by personal delivery on or before _____ be deemed good and sufficient service.

ORDERED, that responding papers, if any be served upon Petitioner's attorney by mail on or before the ____ day of _____ 2010.

ORDERED, that rely papers, if any be served up Respondents' attorney by mail or facsimile on or before the _____ day of _____, 2010.

GRANTED:

ENTER: _____

J.S.C.

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

In the Matter of the Application of
MARIA WHYTE, in her official capacity as Erie County
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County Legislator for the 11th District

Petitioners,

± 2018-12480

For a Judgment Pursuant to CPLR Article 78
and for a Declaratory Judgment
-against-

AFFIRMATION
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for the 5th District
ERIE COUNTY

Respondents.

FILED
2018 DE 14 PM 2:29
ERIE COUNTY
CLERK'S OFFICE

STATE OF NEW YORK
COUNTY OF ERIE

MARC C. PANEPINTO, under the penalties of perjury does hereby affirm:

1. I am an attorney at law licensed to practice in the State of New York. I represent the Petitioners herein and as such I am fully familiar with the facts and circumstances herein.

2. Petitioners bring this proceeding pursuant to Article 78 of the CPLR and pursuant to CPLR 3001 seeking to enjoin the county executive from declaring acts of the Legislature null and void as such declarations exceed his lawful authority and for a declaratory judgment that the reductions to the 2011 Erie County Budget made by the Erie County Legislature are valid and must be incorporated into the 2011 Erie County Budget.

3. Further, petitioners herein are seeking a temporary injunction pursuant to CPLR 6300 et seq. prohibiting the Respondents from acting upon the county executive's veto message until such time as there is a full and final determination of this proceeding.

4. A determination as to the validity of the county executive's declarations of "null and void" is imperative in order to permit the Legislature as a whole to act upon a budget that is definitive. The county executive's improper veto message making the unilateral determination that various acts of the Legislature are "null and void" has made it impossible for the Legislature to vote upon a definitive budget. An injunction is required in order to permit a resolution of the issues herein before any vote can be taken.

5. Petitioners make the showing required to obtain injunctive relief. There is a likelihood of success on the merits; a clear demonstration of irreparable harm should the

injunctive relief not be granted and a balancing of the equities in their favor.

6. Emergency relief is required as the Erie County Legislature is scheduled to undertake to override or otherwise act upon the county executive's veto message **this afternoon** at 2:00 pm. For the reasons more fully set forth below, injunctive relief is required to allow this Court to resolve the issues raised herein and to prevent irreparable harm during the pendency of these proceedings.

7. Injunctive relief against further action until such time as a preliminary hearing can be had on the matters raised herein is proper. As is more fully set forth below, the County Executive's veto message and declarations of nullity are based upon erroneous facts and are in excess of his lawful authority. It is likely that the petitioner will succeed in obtaining the relief requested. If there is no injunctive relief and the petitioners prevail in this action, they will be left with no recourse or adequate remedy at law. The budget will have been adopted subject to an illegal and improper veto message. This clearly constitutes irreparable harm. Conversely, if there is injunctive relief, and the petitioners do not prevail, the vote can proceed with all legislators knowing precisely what revenues and expenditures they are voting upon. Thus the balancing of the equities favors enjoining further proceedings until the issues raised herein can be determined.

PRELIMINARY STATEMENT

8. The procedure for adoption of the Erie County Budget is set forth in Section 2608 of the Erie County Charter. The procedure, simplified, is as follows: the county executive submits a tentative budget and the Legislature reviews and either amends or adopts that tentative

budget. If the Legislature amends the budget, the County Executive has the opportunity to veto any additions by submitting his vetoes and the reasons therefore to the Legislature by the Monday preceding the second Tuesday in December. Then, on the very next day, today, Tuesday, December 14, 2010, the Legislature must consider the county executive's vetoes, and if it is so inclined, vote to override the vetoes.

9. On October 1, 2010 the county executive submitted his proposed 2011 Erie County Budget. Upon receipt of the tentative budget and in accordance with the mandates of the Charter, the Legislature undertook its consideration of the budget including conducting budget hearings. Upon completion of its review, the Legislature prepared various amendments to the budget. Amendment "" was adopted by the Legislature by a margin of 9-6. See Amendment "" attached to Whyte affidavit as Exhibit A. That Amendment contains reductions in spending totaling \$8,293,594 and additions totaling \$8,180,570. Additional amendments numbered 2-49 were also adopted on that date. Many of those amendments won unanimous or near unanimous support of the entire Legislature. The Amendments were all adopted on November 30, 2010 and delivered to the county executive the next day.

10. Despite delivery of the Amendments to the county executive on December 1, 2010, he did not deliver his veto message to the Legislature until after 4:00 p.m. on Monday December 13, 2010. The Legislature must now, in accordance with section 2608(C), consider the veto message and determine whether or not to override that veto.

11. Petitioners are unable to perform their Charter mandated duty to reconsider the budget because the county executive has improperly declared all of the Amendments made by the Legislature including the reductions and decreases contained in the Legislature's budget

amendments to be "null and void". See the county executive's veto message attached hereto as Exhibit A. The veto message is proper as it is clearly in excess of the lawful authority given to the county executive and more importantly, it prevents the Legislature from being able to act upon the budget inasmuch as the revenues and expenditures are unclear in the face of this improper and confusing veto message. Therefore, petitioners seek injunctive and declaratory relief from this Court in order to obtain a determination as to the actual amount of revenues and expenditures contained in the 2011 Budget.

12. This is not a matter of individual Legislators making a choice to simply override the county executive's veto of additions made to the budget – which is the process contemplated by the Charter. Rather, this veto message not only undertakes to veto additions, a power granted to the executive, but it declares every action of the Legislature with regard to the budget to be null and void and in doing so renders it impossible to determine the total amount of revenues and expenditures contained in the budget. Moreover, as stated above, the county executive has refused to explain his position to the Legislature in order to permit the body to ascertain what those figures are.

13. Petitioners herein are entitled to a preliminary injunction prohibiting the Erie County Legislature from voting on the budget until there has been a determination of the issues herein. Such relief from the time constraints set forth in the Charter is appropriate. The court in Srogi v. Cahill, 72 Misc. 2d 775, 781 (Onondaga County 1972) addressed the issue of deadlines to vote upon an executive's veto message and held that:

"The deadline is designed to prevent delays in the adoption of the budget. It forces the [Legislature] to assume its responsibility expeditiously. In the event of a dilatory [Legislature] or political

disagreement, its effect is to prevent the [Legislature] from blocking administrative action by refusing to adopt a budget. Thus, the automatic provision ensures the continuity of government. *It is not designed to usurp the authority of the [Legislature]. It is merely an impetus to action.* (emphasis added).

14. The court went on to state that “[i]f the effect of the deadline for adoption of the budget would be to deprive the [Legislature] of its unconditional power, then the charter must be construed to prevent such an inconsistency. *Id* at 781. Here, compliance with this afternoon’s deadline would force the Legislature to vote upon an undefined and unclear budget, thus depriving it of the power to vote upon the revenues and expenditures of the County for 2011. The Charter cannot be read to require such a result.

STANDING

15. The Petitioners are each individual Erie County Legislators who all voted with the majority to approve Amendment “” and Amendments “”-“” to the tentative 2011 Erie County Budget submitted by the county executive to the Legislature for its review. The Budget Amendments adopted by the Legislature contain reductions in spending totaling \$8,293,594 and additions totaling \$8,180,570. This results in a net decrease in spending of \$113,024 from the county executive’s proposed budget. The petitioners allege, inter alia, that the county executive nullified their votes and usurped their legislative power when he unlawfully, arbitrarily and unilaterally declared ALL legislative amendments to be null and void.

16. The Court of Appeals has found that an individual legislator has both capacity and standing to maintain an action where his or her vote has been nullified or power usurped. The Court

in Silver v. Pataki, 96 N.Y.2d 532 (2001) found that “a legislator surely would have the capacity to sue if prevented from casting a meaningful vote... at the outset” and that there is “no principled basis for distinguishing between a legislator’s pre-vote and post-vote interests in the validity and effectiveness of that vote.” Id. at 538. In finding that individual legislators had capacity to sue to enforce their votes, the Court stated that “[a] procedure that nullifies a legislator’s vote is as harmful as one that precludes it.” Id. at 538. Thus the Petitioners have the capacity to sue to ensure that their votes to approve the Amendments are effectuated.

17. The Silver Court also went on to find that a legislator suffers an injury in fact sufficient to confer standing where his or her vote is nullified and/or where there has been usurpation of power belonging to the legislative body. Id. at 539. The responsibility to vote on legislative measures necessarily includes continuing concern for protecting the integrity of the legislator’s vote and “implies the power to challenge in court the effectiveness of a vote that has allegedly been . . . nullified.” Silver v. Pataki, 96 N.Y.2d 532, 537 (2001).

18. Therefore, as members of the legislature obligated to vote upon the Erie County Budget and as members of the majority that voted to approve the Amendment, the Petitioners undoubtedly suffered an injury in fact sufficient to confer standing when Collins unlawfully ignored their votes regarding the amendments to the 2011 Erie County Budget. See Silver v. Pataki, 96 N.Y.2d 532 (2001). Here, the county executive has not only improperly and unilaterally determined that reductions lawfully made by the Legislature are “null and void”, but has declared ALL of the actions of the Legislature to be null and void. This is a blatant attempt to nullify the votes of the petitioners.

INJUNCTIVE RELIEF

19. CPLR § 6301 sets forth the grounds for preliminary injunction and temporary restraining order:

A preliminary injunction may be granted in any action where it appears that the defendant threatens or is about to do, or is doing or procuring or suffering to be done, an act in violation of the plaintiff's rights respecting the subject of the action, and tending to render the judgment ineffectual, or in any action where the plaintiff has demanded and would be entitled to a judgment restraining the defendant from the commission or continuance of an act, which, if committed or continued during the pendency of the action, would produce injury to the plaintiff. A temporary restraining order may be granted pending a hearing for a preliminary injunction where it appears that immediate and irreparable injury, loss or damage will result unless the defendant is restrained before the hearing can be had.

20. CPLR section 6301 has been interpreted to afford a petitioner relief where the petitioner demonstrates 1) a likelihood of success on the merits; 2) irreparable injury absent injunctive relief; and 3) that a balancing of the equities falls in petitioners favor. Doe v. Axlerod, 73 NY2d 748 (1988). Petitioners make the requisite showing entitling them to temporary injunction against further proceedings by the Respondents, including the Erie County Legislature relative to the 2011 Erie County Budget until such time as the instant action has been resolved.

21. Without an injunction, the Legislature would be required to vote to override the county executive's veto today, Tuesday, December 14, 2010. Once that vote is taken, it is a final determination on the budget and petitioners would be left without an adequate remedy at law. Once taken, that vote cannot be undone and the county executive's improper and illegal usurpation of Legislative function and power would become final and binding. Moreover, because the veto message is improper and illegal, there is no way to know prior to the resolution of the underlying declaratory judgment action, what revenues and expenditures are being voted upon.

22. Petitioners are entitled to a declaratory judgment that 1) the county executive does not have the authority to unilaterally declare reductions to the budget made by the Erie County Legislature to be "null and void" and that 2) the reductions made by the Erie County Legislature are proper and must be given full effect in the 2011 budget.

LIKELIHOOD OF SUCCESS ON THE MERITS

23. The county executive's veto message, among other things, declares that the adopted Amendment "" has no legal effect because each line item was not individually voted upon on the floor of the Legislature as was required by the Charter. This is unequivocally and indisputably wrong. Section 2608(1) of the Erie County Charter does state:

Budget Amendments proposed subsequent to the tabling of the budget committee report or less than forty eight hours prior to the annual meeting, shall be considered separately with each line item voted on individually on the floor of the Legislature.

24. However, what the county executive either was not aware of or simply chose to ignore, was the fact that Budget Amendment "" was clocked in to the public record at 1:01 p.m. on November 23, 2010 (seven (7) days prior to the annual meeting). See Exhibit B. Moreover, the item was clocked in prior to the Special Meeting to lay the Finance, Management Budget Committee report on the table which was scheduled to commence at 1:15p.m. on November 23, 2010 as is evidenced by the Notice attached hereto as Exhibit C.

25. There is no question then that the Amendment was clocked in to the public record a full seven days prior to the budget adoption meeting on November 30, 2010 and it was done before the Finance, Management and Budget Committee Report was laid on the table. Therefore,

the Amendment did not require line item voting on the floor of the Legislature. In all respects, the Amendment was presented and voted upon in accordance with the mandates of the Charter. This declaration of nullity attempted by the county executive cannot stand based upon its clearly factually erroneous allegations.

26. Moreover, there can be no serious dispute that the county executive does not have the authority to declare reductions made by the Legislature “null and void.” The Erie County Charter specifically provides that the county executive can only veto additions or increases to the budget. Section 2608. He cannot veto reductions or cuts to the budget. His declaration that various reductions made by the Legislature are “null and void” is an attempt by the county executive to impermissibly expand his powers to allow him to veto reductions or cuts. This is a power specifically not afforded him by the County Charter.

27. “The power of the County Executive is limited to consideration of additions or increases in the tentative budget.” Gallagher v. Regan, 55 AD2d 284, 288, 289. “Legislative reduction of the appropriations for [fringe benefits and other line items] represents a proper exercise of legislative action and is not subject to objection by the County Executive.” Id at 292. Thus the county executive has exceeded his authority by declaring reductions to the budget null and void. Additionally, there is no authority for the county executive to “object” to increases to the budget, his sole power is to veto the same. So to the extent that his veto message “objects” to increases it must also be deemed invalid. This is clearly an impermissible attempt to expand the powers granted to him under the charter.

28. The veto message improperly relies on a number of cases to support the county executive’s position that he has the authority to unilaterally declare Legislative actions “null and

void". Swanick v. Erie County Legislators, 103 AD2d 1036 (4th Dept 1984) does not support the county executive's position. That case actually supports petitioners' application for injunctive relief. There, the Legislature, in concert with the county executive, attempted to adopt a budget on a date beyond the Charter mandated deadline. The court held that because the amended budget was approved after the deadline, despite agreement of the majority of the Legislature and the county executive, it had to be deemed a nullity. This is precisely why injunctive relief is so essential in this matter. The case does not in any fashion support executive "nullification" of Legislative action.

29. Matter of Council of City of New York v. Bloomberg, 6 NY3d 380 (2006) involved the enforcement of an Equal Benefits Law in New York City. The court there found that the Equal Benefits Law was pre-empted by state law and therefore not subject to enforcement in the City of New York. The facts of that case are wholly inapposite to the facts at hand.

30. Marinelli v. Collins (Index No. 2008-13803) absolutely did not hold that the county executive could declare acts of the legislature null and void. In fact, that decision specifically stated that it did not agree that the county executive has the ultimate authority in setting the amount of the tax levy and that such an action would, "in effect, vest unfettered authority in the County Executive situation [sic] which would be contrary to the spirit of the County Charter and applicable case law which sets forth a collaborative process between the Legislative and Executive branches of government." Id at 12. To allow this veto message to stand would, in effect, be granting the ultimate authority in setting the amount of the tax levy to the county executive – a result specifically prohibited by Marinelli v. Collins.

31. Accordingly, the county executive's declaration that the reductions to fringe

benefit accounts, risk retention fund and worker's compensation fund center were invalid is an act in excess of his lawful authority. Insofar as it objects to reductions to the 2011 Erie County Budget, the veto message must be declared invalid and inapplicable to the 2011 budget.

32. Notwithstanding the foregoing, the petitioners herein demonstrate that the reductions were each properly made.

33. The Budget Amendment adopted by the Legislature contains reductions in spending totaling \$8,293,594 and additions totaling \$8,180,570. This results in a net decrease in spending of \$113,024 from the county executive's proposed budget. The Erie County Comptroller has reviewed the Legislature's Budget Amendment and determined that each and every reduction made by the Legislature was proper and would not result in a tax increase. The Comptroller's analysis is attached hereto as Exhibit D.

34. As is more fully set forth in the verified petition the Legislature made a number of reductions to the tentative budget and each one of those reductions was proper.

IRREPARABLE INJURY

35. The petitioner will suffer irreparable harm if the injunction is not granted. Pursuant to the Erie County Charter, the Legislature must reconsider the budget and act to override any vetoes by Tuesday, December 14, 2010. It is impossible for the Legislature to reconsider or vote to override the vetoes until this issue is resolved. If the county executive's declaration that certain reductions are null and void stands, then the Legislators will be voting on a budget containing one set of revenues and expenses. If that declaration is determined to be invalid, then the Legislators will be voting on a completely different set of revenues and

expenditures. Absent an injunction, the override vote must take place on Tuesday, December 14, 2010. If the override vote scheduled for December 14, 2010 is not enjoined pending resolution of this issue, two irreversible outcomes will result. First, the Legislators will be voting on a budget amount that is unclear. Without a determination as to the validity of the county executive's "null and void" declarations, the Legislators cannot know what tax rate they would be imposing by voting or not voting to override. Secondly, without an injunction, the Legislators who have indicated that they would vote for the Amendment if it was established that it did not raise taxes would have been deprived of their right to do so.

36. It is clear that the votes to override the county executive's veto are dependent on a determination as to whether the county executive's declaration of null and void is proper. The amendments to the budget which are at issue here were adopted by the Erie County Legislature by a 9-6 margin. 10 votes are required to override the county executive's veto. On Sunday, December 12, 2010, the Buffalo News article contained the following quote from Legislator Kevin Hardwick, 10th District: "If I thought that we could restore money to the culturals and to the libraries and for a couple of those auditors in the comptroller's office, without forcing a tax increase, I would vote to override in a minute," Hardwick said.

37. Thus it is clear that at least one additional legislator would be willing to vote in favor of the budget amendment if it were shown that it does not raise property taxes. However, until this action is resolved there will be no way to determine whether or not the Amendment raises taxes.

BALANCING OF THE EQUITIES IS IN PETITIONERS FAVOR

38. It is clear that the equities are in petitioner's favor. The declaratory judgment action will resolve the issues herein and allow for the Legislators to cast their votes after being fully informed as to the impact of those votes on the tax rate in Erie County.

39. Moreover, had the county executive provided his veto message to the Legislature earlier during this process, there would be no need for injunctive relief. The Amendments were adopted by the Legislature on November 30, 2010. The county executive has had the adopted Amendments since that time. There is no reason that he could not have attended the Finance and Management Committee meeting held on December 13, 2010 or provided the veto message before 4:00pm on December 13, 2010 except to intentionally deprive the Legislators of meaningful evaluation of the same and/or an opportunity to seek judicial review of the propriety of the declarations of "null and void".

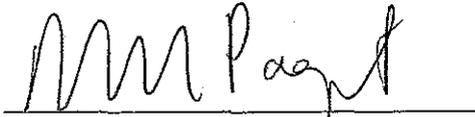
40. While it is well established that the courts will not intervene in the budget process if doing so requires them to substitute their judgment on matters of discretion, it is similarly indisputable that "the courts will always be available to resolve disputes concerning the scope of that authority which is granted by the Constitution to the two other branches of the government." Korn v. Gulotta 72 NY2d 363 (1988). Clearly, here there is a dispute as to the scope of authority granted to the county executive.

WHEREFORE, it is respectfully requested that this court issue a temporary injunction enjoining, restraining and prohibiting the Respondents from taking any further action on the 2011 budget, including but not limited to voting to override or otherwise acting upon the county

executive's veto message, until such time as a hearing and determination of the issues raised herein can be made and for such other and further relief this court deems appropriate.

Dated: December 14, 2010

Buffalo, New York



MARC C. PANEPINTO, ESQ.
CANTOR, LUKASIK, DOLCE & PANEPINTO
1600 Main Place Tower
350 Main Street
Buffalo, New York 14202
(716)852-1888

To: Erie County Attorney
95 Franklin Street, Room 1634
Buffalo, New York 14202



ECLEG DEC13'10 PM 3:46

COUNTY OF ERIE

CHRIS COLLINS

COUNTY EXECUTIVE

December 13, 2010

The Honorable
Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

RE: 2011 Budget Veto Message

Dear Honorable Members:

In October, my Administration proposed a 2011 County Budget that achieved our primary goal of not raising property taxes. The proposed budget also took the fiscally responsible steps of paying down debt and making critical investments to protect taxpayers in the future. The weak national economy, unsustainable municipal union contracts, and the continued dysfunction in Albany forced some tough budgetary decisions, but they were necessary to keep taxes low and spending under control. I continue to believe that our decisions were the correct ones, and that the majority of Erie County taxpayers support our efforts to be fiscally responsible in very uncertain times.

As County Executive, I understand the Legislature's desire to fully fund all programs, organizations and agencies that have a history of receiving county support. But as elected leaders tasked with the financial stewardship of precious county tax dollars, we have an obligation to look beyond our desires and make decisions that are responsible. Unfortunately, your Honorable Body amended the proposed budget in a way that can be described as anything but responsible.

If the Legislature's additional spending actions were left intact, it would result in more than a \$8 million property tax increase for the hardworking taxpayers of Erie County. Therefore, I am vetoing all 154 spending additions passed by the Legislature. Let me be unequivocal: each and every override of these 154 vetoes would increase property taxes on county taxpayers.

The missteps taken in your amendments to the 2011 proposed budget became evident when the Division of Budget and Management ran the basic mathematical calculations of the proposed amendments. Assuming for a moment that all amendments are lawful and procedurally proper, which they are not, the result would be a net tax increase of nearly \$1 million. The Comptroller's and Majority Leader's claims that this package cut spending by more than \$100,000 are simply false and untrue, and another example of their sheer inability to conduct competent budget calculations.

The Legislature's amendment process was flawed and ignored the financial realities we face today and tomorrow. As we have seen in years' past, the Legislature funds its spending additions with phantom dollars. The Legislature's cuts fail, again this year, to take into account federal and state reimbursements, the necessity of fringe benefits like health insurance and pension costs, and the fact that by law overtime must be paid. Worse yet, the Legislature also made several irresponsible cuts, targeting social service programs mandated by New York State.

While some in the Legislature will allege that the Administration is disrespecting your Honorable Body by not allowing your amendments to stand, the fact remains that the Legislature continues to resist real and true cuts, such as the elimination of union positions, to fund your spending priorities. Instead, year after year, the Legislature chooses the easy, yet flawed practice of improperly and unlawfully raiding accounts that exist to protect the County's obligations, liabilities and bottom line. This practice of deceiving taxpayers, while catering to the special interests, is the principle reason why government continues to fail its citizenry. I, along with the taxpayers of Erie County, simply will not allow that to stand.

Furthermore, because the Legislature violated the County Charter, well-established judicial rulings and statutes in adopting this Budget, I am also declaring the entire amendment package null and void, as it is improper and unlawful.

As I have acknowledged, my proposed 2011 Budget included tough decisions, including a \$4 million cut in funding for the Buffalo & Erie County Public Library. Despite claims to the contrary, I understand the value of libraries and the important role they play in communities throughout our county. While I remain convinced that the Library should not be immune from funding reductions in tough times and can and should do more to become as efficient and cost effective as possible, I have reached a compromise with the Minority caucus of the Legislature to provide the Library funding to transition through 2011 with as few service reductions as possible.

In short order, I will be submitting a spending resolution to your Honorable Body allocating \$3 million of Federal Medical Assistance Percentages (FMAP) dollars provided to Erie County through the federal stimulus package to maintain or increase hours of operation at library branches throughout Erie County. This funding became available after I submitted my proposed budget on October 1, 2010, and I believe it is an appropriate use of this non-recurring revenue. As the Library uses this funding to transition through 2011, it can move forward with its public input campaign aimed at building a system appropriate for the 21st Century, as well as its fundraising efforts and exploration of dedicated funding sources.

Section I: Executive Vetoes

While many of the 2011 Legislative Budget Amendments presented to me are unlawful and without effect as further detailed herein, I nevertheless hereby object to and veto all 144 increases and additions contained in the proposed amendments, as these additions are not properly funded. Because the Legislature's additions are unlawfully and improperly paid for, any override of the Executive vetoes would result in a property tax increase. If these Executive vetoes were overridden in their entirety, the property tax levy would increase by \$8,090,344.

Section 2608 (c) clearly establishes the County Executive's right to veto any addition made by the Legislature to the Tentative Budget. Specifically, Section 2608 (c) states:

The county executive may object to any one or more of such added or increased items, and in such case shall append to the budget a statement of the added or increased items to which he or she objects with the reasons for his or her objections, and shall return the budget with his or her objections to the clerk of the county Legislature who shall present the same to the county Legislature on or before the Monday preceding the second Tuesday in December.

Pursuant to my authority under Section 2608 (c) of the Charter, I hereby object to and veto each and every one of these increases and additions to the tentative budget individually, as their inclusion in the 2011 Budget would unnecessarily raise property taxes on county residents.

A. Increases & Additions to the Proposed Budget Separated From Budget Amendment Package Comm. 23E-1, (2010), Budget Amendment "1" As Amended, Book A, Amendment to Comm. 17E-1, (2010).

Pursuant to the request of an individual Legislator, items included in the package can be separated and receive an individual vote of the Legislature. At the November 30 session, five items were separated and voted on individually from the package.

I specifically object to and veto the restoration of 3 Staff Auditors in the Office of the Comptroller totaling \$172,660 identified in Appendix 1 attached hereto and made a part hereof, as their inclusion in the 2011 Budget would unnecessarily raise property taxes on county residents.

I specifically object to and veto the Library items identified in Appendices 2-4, totaling \$4,000,000, attached hereto and made a part hereof, as their inclusion in the 2011 Budget would unnecessarily raise property taxes on county residents.

I specifically object to and veto the increase to the Professional Service Contract and Fees identified in Appendix 5, totaling \$50,000 attached hereto and made a part hereof, as their inclusion in the 2011 Budget would unnecessarily raise property taxes on county residents.

B. Increases & Additions to the Proposed Budget included in Budget Amendment Package Comm. 23E-1, (2010), Budget Amendment "1" As Amended, Book A, Amendment to Comm. 17E-1, (2010).

Pursuant to my authority under Section 2608 (c) of the Charter, I hereby object to and veto, collectively and individually, all additions which are identified in Appendices 6-108, attached hereto and made a part hereof, as their inclusion in the 2011 Budget would unnecessarily raise property taxes on county residents.

C. Increases & Additions to the Proposed Budget identified in Budget Amendments "2" through and including "5" and "7" through and including "48" (Comm. 23E-2 - 23E-5 & 23E-7 - 23E-48) to Book A, Amendment to Comm. 17E-1 (2010).

I further object to and veto BUDGET AMENDMENTS "2" through and including "5" and "7" through and including "48" to Book A, Amendment to Comm. 17E-1 (2010) individually as identified in Appendices 109 - 154, attached hereto and made a part hereof, as their inclusion in the 2011 Budget would unnecessarily raise property taxes on county residents.

Section II: Improper & Illegal Acts of Legislature Having No Effect

It is long settled in American jurisprudence that acts of legislative bodies which violate the respective government's charter or constitution are null and void and without legal effect. (*Marbury v. Madison*, 5 US 1803) Such null acts, by definition, have no legal effect and are without binding legal force. (*Blacks Law Dictionary*, 7th Edition).

This principle has also been applied to New York governments, as well as Erie County. In the matter of *Swanick v. Erie County Legislature* (103 A.D.2d 1036, 4th Dept. 1984) it was determined that amendments which result in a circumvention of either the Erie County Charter or settled law are deemed a nullity and impermissible as running afoul of the orderly budgetary process skillfully framed by the drafters of the Erie County Charter.

In the *Matter of Council of City of New York v. Bloomberg*, 6 N.Y.3d 380 (2006), the Court of Appeals held clearly that an elected official can not be compelled to perform an unlawful or improper act. For the reasons listed below, the Legislature has passed a budget that is improper and unlawful and as a result, cannot be recognized or implemented by the County Executive. It is therefore null and void.

Furthermore, in the matter of *Marinelli v. Collins* (Index No. 2008-13803, Erie County Sup. Ct. 2009) the Court determined that the County Executive is empowered to object to the unlawful acts of the Legislature, and declare them null and void.

In addition to exercising my right to veto all additions contained in the 2011 Legislative Budget Amendments as detailed above, and pursuant to the authority previously cited, I hereby declare that the 2011 Legislative Budget Amendments transmitted to this Administration violate established court orders; violate federal and state law; and were adopted in violation of the procedures specified in the Erie County Charter. Therefore, such amendments were not properly enacted. Accordingly, they are improper and unlawful, and deemed null and void for the reasons listed herein.

A. Improper and Unlawful Adjustments to State & Federal Reimbursements

Notwithstanding the fact that Comm. 23E-1, BUDGET AMENDMENT "1" AS AMENDED Book A, Amendment to Comm. 17E-1 (2010) fails to have any force and effect, as detailed below, the Legislature offered several amendments to reduce appropriations. In each of the following instances, however, even if properly moved and considered line by line, these amendments would have failed to take any force or effect.

Many of the appropriations in the County budget are subject to reimbursement via state and federal sources. The Legislature's amendment package failed to account for these reimbursements, requiring this office to decrease revenues in the amount of \$423,226, by adjusting revenues for the following accounts:

Social Services Account 407540 SA-Soc Serv Admin	decreased by \$16,631
Social Services Account 411540 FA-Fr Soc Serv Admin	decreased by \$50,349
Mental Health Account 406810 Foren Mntl Hlth Sr	decreased by \$30,308
Youth Detention Account 407615 SA-Non-Sec Loc Yth	decreased by \$330,000
Probation Account 406000 SA-FR Prob Serv	increased by \$14,234
Health Division Account 405540 SA-Art VI-P H Work	decreased by \$27,103
Health Emerg Medical Svcs. Account 405540 SA Art VI P H Work	increased by \$23,562
Health PH Lab Account 406560 SA-Art VI PublHlthLab	increased by \$12,288

Health Medical Examiner Account 405180 SA-Art VI-Med Exam increased by \$5,981

Health Special Needs Account 405540 SA-Art VI- P H Work decreased by \$24,900

This oversight on the part of the Legislature renders the budget unbalanced. While the Legislature attempted to make reductions that applied only to county funding, in reality funding provided by the state and federal government would be reduced. Since the Legislature did not take the corresponding reductions in state and federal reimbursement funding into account when drafting the amendments, your cuts to these expenses are improper and unlawful, and therefore deemed null and void and without effect.

B: Improper and Unlawful Adjustments to DISS Accounts

The revenue and appropriation account adjustments which purport to reduce the DISS fringe benefit account in the amount of \$100,000 and reduce the DISS rental charge account in the amount of \$170,000 are invalid, null and void. This Legislative practice has been repeatedly held invalid by the courts. See, *Marinelli v. Collins*, *Blackwell v. Gorski* (Index No. 14641/92, Erie County Sup. Ct. 1992), and *Gallagher v. Regan* (55 A.D.2d 284, 4th Dept 1976).

C: Improper and Unlawful Adjustments E-911 Fund

Similar to the DISS accounts, the revenue and appropriation account adjustments which purport to move positions and expenses related to the E-911 Fund are out of balance and, therefore, null and void.

D: Improper and Unlawful Adjustments to Fringe Benefit Lines

Finally, the attempted reductions to fringe benefit lines cannot stand. By cutting the fringe benefits in lump sums your Honorable Body did not perform a line-by-line reduction in staff or salary expenses relative to the associated personnel. This action on the part of the Legislature is in violation of applicable legal precedent and the County Charter and is, therefore, invalid, null and void.

E: Failure of the Legislature to Follow the County Charter and its Own Rules of Order

In addition to specific reasons mentioned above, the package as a whole fails to have any legal effect, for the reasons set forth below. Because of the nullity of the reductions in the package, any override of the Executive vetoes previously discussed will result in a property tax increase even more severe than the one proposed by the Legislature's Majority.

Section 2608(1) of the Erie County Charter provides in part that:

"The report of the budget committee to the county Legislature concerning amendments to the county executive's tentative budget shall be presented to the Legislature and laid on the table at least forty eight hours prior to the annual meeting for budget adoption as prescribed in this section.

Budget amendments proposed subsequent to the tabling of the budget committee report, or less than forty eight hours prior to the annual meeting, shall be considered separately with each line item voted on individually on the floor of the Legislature."
(Emphasis added).

In addition to the Charter, the Legislature's own rules clearly preclude any amendment of this type from being considered, especially after having been defeated in a committee vote. Specifically, Section 4.01 of the Legislature's own 2010 Rules of Order provides the following in connection with the adoption of the budget:

After such consideration, the Finance & Management/Budget Committee shall approve such tentative budget as originally prepared or with such amendments or changes therein as the committee may determine, and shall submit such tentative budget, together with its report thereon, to the Legislature not later than the first Tuesday of December in each year. The report of the Finance & Management/Budget Committee shall be submitted to the Legislature and lay on the table forty-eight (48) hours prior to the Annual Meeting established by Section 2608 of the Charter.

Budget amendments proposed less than forty-eight (48) hours prior to the Annual Meeting shall be considered and voted on as described in Section 4.04. Such amendments less than forty-eight (48) hours prior to the Annual Meeting shall be limited to special or essential items for which information was not available in time to meet the forty-eight (48) hour requirement.

Section 4.04 states:

"Any amendments to the Finance & Management /Budget Committee Report, which are proposed less than forty-eight (48) hours prior to the annual meeting prescribed by the County Charter, Section 2608, for adoption of a budget, shall be considered, justified and voted on in accordance with the Erie County Charter and Code.

The budget amendments proposed as BUDGET AMENDMENT "1" AS AMENDED Book A, Amendment to Comm. 17E-1 (2010) designated as item 23E-1 (2010) were initially proposed at the November 30, 2010 annual budget meeting and did not age 48 hours as required by the Charter. As such, said item was proposed subsequent to the tabling of the budget committee report and was also proposed less than forty-eight hours prior to the annual budget meeting.

Of the amendments proposed, only a small number were considered separately with each item voted on individually on the floor of the Legislature: the restoration of 3 Staff Auditors in the Office of the Comptroller totaling \$172,660; the addition of a \$4,000,000 Interfund Subsidy to Fund Center 140, the associated increases in Interfund Revenue to Fund Center 420, the Buffalo and Erie County Public Library; and the addition of Professional Services Contracts fees totaling \$50,000. All other amendments contained in said item, whether they be additions, increases, deletions or decreases, were not considered separately with each line item voted on individually on the floor of the legislature and are, therefore, unlawful and fail to take effect.

While some members of your Honorable Body may argue that this is a mere technicality, rest assured that it is not. In fact, this section of the Charter was explicitly amended in 2006. Prior to the enactment of Local Law 3-2006, 1803(A) of the Charter read as follows:

"Budget amendments proposed subsequent to the tabling of the budget committee report, and less than forty-eight hours prior to the annual meeting, shall be considered and voted on individually on the floor of the legislature."

The 2006 revision to the Erie County Charter resulted in part from *Mobr v Greenan* (803 N.Y.S. 2d 876, affirmed 37 A.D.3d 1094 (4th Dept 2007)). The current section 2608 was redrafted purposefully to ensure that all items moved out of the Finance, Management & Budget Committee be considered individually on a line by line basis.

In addition, some members of your Honorable Body may claim that 23E-1 (2010) was submitted previously to the Finance, Management & Budget Committee and therefore was submitted timely. This too is incorrect. An item similar to 23E-1 (2010) was submitted to and disapproved by a vote of 5-3 at a meeting of the Finance, Management & Budget Committee held on November 23, 2010 at 10:00 a.m. Because the item previously submitted failed in committee, the item considered and approved as amended on November 30, 2010 is an amendment proposed subsequent to the tabling of the budget committee report and less than forty-eight hours prior to the annual budget meeting. Hence, all items should have been considered on a line-by-line basis. The failure to do so resulted in an unlawful action that is without force and effect. As a result, the appropriation amendments which were properly considered on a line-by-line basis would result in a property tax increase of \$5,421,746.

In sum, because the Legislature's actions violate court rulings, state law, federal law, and the Legislature's Adopted Rules of Order and the Erie County Charter, it is entirely null and void and without legal effect. Thus, the package failed to make any proper reductions or cuts to the tentative budget. As a result, any override of the Executive vetoes would result in a property tax increase. If the vetoes were overridden in their entirety, the property tax levy would increase by \$8,090,344.

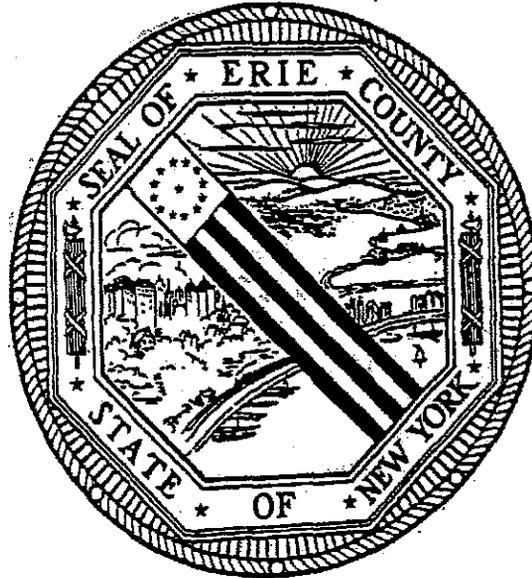
Despite our differences of opinion, we need to continually operate with one purpose in mind: protecting the Erie County Taxpayer. My budget and veto message reflect that conviction, and I urge you to support these vetoes as we move forward to address the pressing issues facing our community. Should the Legislature choose to override any veto, the end result will be an increase in the property tax levy.

Sincerely,



CHRIS COLLINS
Erie County Executive

OPEN



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "1"

Book A

Amendment to Comm. 17E-1 (2010)

23E-1

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of	Proposed 2011 Budget	Number of	2011 Legislature Allocated	Amount	Total Change (Decrease) or Increase
							County Exec Rec		Positions Legislature		Changed (Decrease) or Increase	
16	Adjust	10110	1011010	County Executive	Deputy County Executive	58	1	\$114,109	1	\$107,397	(\$6,712)	(\$6,713)
17	Adjust	10110	500000	County Executive	Full Time - Salaries			\$549,983		\$543,271	(\$6,712)	(\$6,712)
					Associate Deputy							
28	Restore	11200	1120010	Comptroller	Comptroller	16	0	\$0	1	\$83,356	\$83,356	\$83,356
28	Restore	11200	1120010	Comptroller	Secretary, Comptroller	8	0	\$0	1	\$32,604	\$32,604	\$32,604
28	Restore	11200	1120020	Comptroller	Administrative Clerk	7	0	\$0	1	\$37,611	\$37,611	\$37,611
28	Restore	11200	1120030	Comptroller	Senior Auditor	13	0	\$0	1	\$72,817	\$72,817	\$72,817
28	Restore	11200	1120030	Comptroller	Staff Auditor	11	0	\$0	3	\$172,660	\$172,660	\$172,660
28	Restore	11200	1120030	Comptroller	Accountant Auditor	9	0	\$0	2	\$87,239	\$87,239	\$87,239
					Assistant Director of							
28	Restore	11200	1120040	Comptroller	Revenue Recovery	11	0	\$0	1	\$56,252	\$56,252	\$56,252
28	Restore	11200	1120050	Comptroller	Supervising Accountant	11	0	\$0	1	\$57,554	\$57,554	\$57,554
28	Restore	11200	1120050	Comptroller	Junior Tax Accountant	9	0	\$0	1	\$44,165	\$44,165	\$44,165
28	Restore	11200	1120050	Comptroller	Senior Cashier	7	0	\$0	2	\$87,760	\$87,760	\$87,760
28	Restore	11200	1120050	Comptroller	Cashier	6	0	\$0	1	\$31,705	\$31,705	\$31,705
30	Adjust	11200	500000	Comptroller	Full Time - Salaries			\$1,550,045		\$2,313,768	\$763,723	\$763,723
30	Adjust	11200	502000	Comptroller	Fringe Benefits			\$942,832		\$1,032,568	\$89,736	\$89,736
					Professional Svcs Contracts							
30	Adjust	11200	516020	Comptroller	& Fees			\$360,900		\$410,900	\$50,000	\$50,000
38	Adjust	11110	1111010	Real Property Tax	Chief Data Tax Clerk	12	1	\$59,268	1	\$47,741	(\$11,527)	(\$11,527)
39	Adjust	11110	500000	Real Property Tax	Full Time - Salaries			\$442,157		\$430,630	(\$11,527)	(\$11,527)
50	Delete	16010	1601010	County Attorney	County Attorney	60	1	\$149,831	0	\$0	(\$149,831)	(\$149,831)
50	New	16010	1601010	County Attorney	County Attorney	21	0	\$0	1	\$99,226	\$99,226	\$99,226
					First Assistant County							
50	Adjust	16010	1601010	County Attorney	Attorney	19	1	\$111,101	1	\$95,356	(\$15,745)	(\$15,746)
					Second Assistant County							
50	Adjust	16010	1601010	County Attorney	Attorney	18	1	\$89,731	1	\$77,723	(\$12,008)	(\$12,009)
52	Adjust	16010	500000	County Attorney	Full Time - Salaries			\$1,210,634		\$1,132,276	(\$78,358)	(\$78,358)
					Professional Svcs Contracts							
52	Adjust	16010	516020	County Attorney	& Fees			\$395,000		\$245,000	(\$150,000)	(\$150,000)
56	Adjust	16020	555050	Risk Retention	Insurance Premiums			\$3,000,000		\$1,000,000	(\$2,000,000)	(\$2,000,000)
					Worker's							
56	Adjust	16030	502050	Compensation	Worker's Compensation			\$13,008,100		\$12,008,100	(\$1,000,000)	(\$1,000,000)
					Worker's							
56	Adjust	16030	502130	Compensation	Worker's Comp Other Fd Reimbursement			(\$12,008,100)		(\$11,008,100)	\$1,000,000	\$1,000,000
69	Adjust	16110	502000	Personnel	Fringe Benefits			\$701,454		\$676,454	(\$25,000)	(\$25,000)
					Professional Svcs Contracts							
86	Adjust	10310	516020	Labor Relations	& Fees			\$17,083		\$7,083	(\$10,000)	(\$10,000)

169	New	12530	109754	Youth Bureau	Crucial Human Services	\$0	\$7,400	\$7,400	\$7,400
169	New	12530	114359	Youth Bureau	Elim Community Corp	\$0	\$10,000	\$10,000	\$10,000
169	New	12530	102707	Youth Bureau	Erie Regional Housing Dev Corp (Belle)	\$0	\$10,000	\$10,000	\$10,000
169	New	12530	119259	Youth Bureau	First Hand Learning	\$0	\$10,000	\$10,000	\$10,000
169	New	12530	119259	Youth Bureau	First Hand Learning (Detention on-site)	\$0	\$2,200	\$2,200	\$2,200
169	New	12530	129763	Youth Bureau	HEART Foundation	\$0	\$6,000	\$6,000	\$6,000
169	New	12530	121386	Youth Bureau	Jericho Road Ministries	\$0	\$7,500	\$7,500	\$7,500
169	New	12530	104386	Youth Bureau	Lackawanna Yemen Soccer Club	\$0	\$10,000	\$10,000	\$10,000
169	New	12530	108781	Youth Bureau	Literacy Volunteers	\$0	\$2,010	\$2,010	\$2,010
169	New	12530	108781	Youth Bureau	Literacy Volunteers (Detention on-site)	\$0	\$2,010	\$2,010	\$2,010
169	New	12530	130214	Youth Bureau	Making Fishers of Men & Women	\$0	\$7,500	\$7,500	\$7,500
169	New	12530	108646	Youth Bureau	Lt Col Matt Urban Community Center	\$0	\$7,500	\$7,500	\$7,500
169	New	12530	112302	Youth Bureau	Metro Community Development Corp	\$0	\$10,000	\$10,000	\$10,000
169	New	12530		Youth Bureau	MicroBiz Buffalo	\$0	\$3,084	\$3,084	\$3,084
169	New	12530	115673	Youth Bureau	North Buffalo Community Development	\$0	\$7,340	\$7,340	\$7,340
169	New	12530	109626	Youth Bureau	Northwest Buffalo Community center	\$0	\$10,000	\$10,000	\$10,000
169	New	12530	105778	Youth Bureau	Old First Ward Community Assn	\$0	\$9,091	\$9,091	\$9,091
169	New	12530	129842	Youth Bureau	On the Job Ministries	\$0	\$3,000	\$3,000	\$3,000
169	New	12530	105892	Youth Bureau	Parkside Community Assn of Buffalo	\$0	\$5,000	\$5,000	\$5,000
169	New	12530	106127	Youth Bureau	Police Athletic League of Buffalo Inc	\$0	\$6,000	\$6,000	\$6,000
169	New	12530	109758	Youth Bureau	Schiller Park Community Services	\$0	\$10,000	\$10,000	\$10,000
169	New	12530	109744	Youth Bureau	Seneca Babcock Comm Association	\$0	\$10,000	\$10,000	\$10,000
169	New	12530	131015	Youth Bureau	Seneca Street Community Development Corp	\$0	\$5,000	\$5,000	\$5,000
169	New	12530	110692	Youth Bureau	Town of Tonawanda Youth Bureau	\$0	\$10,000	\$10,000	\$10,000
169	New	12530	109805	Youth Bureau	United Way of Buffalo & Erie Co.	\$0	\$6,000	\$6,000	\$6,000
169	New	12530	107875	Youth Bureau	University Heights Comm Dev Assn	\$0	\$7,500	\$7,500	\$7,500
169	New	12530	109685	Youth Bureau	Urban Christian Ministries	\$0	\$10,000	\$10,000	\$10,000
169	New	12530	109770	Youth Bureau	Valley Community Assn	\$0	\$10,000	\$10,000	\$10,000

245	Adjust	12740	516020	Medical Examiner	Professional Svcs Contracts & Fees			\$298,250		\$248,250	(\$50,000)	(\$50,000)
252	Adjust	12750	502000	Persons with Special Needs	Fringe Benefits			\$662,085		\$612,085	(\$50,000)	(\$50,000)
252	Adjust	12750	516020	Persons with Special Needs	Professional Svcs Contracts & Fees			\$90,000		\$60,000	(\$30,000)	(\$30,000)
283	Adjust	11510	502000	Sheriff Division	Fringe Benefits			\$5,127,496		\$4,927,496	(\$200,000)	(\$200,000)
290	Adjust	116	500320	Jail Management	Uniform Allowance			\$521,500		\$496,500	(\$25,000)	(\$25,000)
290	Adjust	116	502000	Jail Management	Fringe Benefits			\$21,631,684		\$19,631,684	(\$2,000,000)	(\$2,000,000)
290	Adjust	116	516020	Jail Management	Professional Svcs Contracts & Fees			\$688,450		\$213,450	(\$475,000)	(\$475,000)
307	Delete	16500	1650050	Central Police Services - E-911 Fund	Dispatcher (Sheriff)	7	14	\$507,537	0	\$0	(\$507,537)	(\$507,537)
307	Delete	16500	1650050	Central Police Services - E-911 Fund	Dispatcher (Sheriff) 55A	7	2	\$75,881	0	\$0	(\$75,881)	(\$75,881)
308	Adjust	16500	500000	Central Police Services - E-911 Fund	Full Time - Salaries			\$2,072,536		\$1,489,118	(\$583,418)	(\$583,418)
308	Adjust	16500	500300	Central Police Services - E-911 Fund	Shift Differential			\$44,500		\$30,000	(\$14,500)	(\$14,500)
308	Delete	16500	500320	Central Police Services - E-911 Fund	Uniform Allowance			\$12,750		\$0	(\$12,750)	(\$12,750)
308	Adjust	16500	500330	Central Police Services - E-911 Fund	Holiday Worked			\$38,650		\$22,000	(\$16,650)	(\$16,650)
308	Delete	16500	500340	Central Police Services - E-911 Fund	Line-up Pay			\$21,500		\$0	(\$21,500)	(\$21,500)
308	Adjust	16500	501000	Central Police Services - E-911 Fund	Overtime			\$270,865		\$185,865	(\$85,000)	(\$85,000)
308	Adjust	16500	502000	Central Police Services - E-911 Fund	Fringe Benefits			\$1,541,313		\$868,679	(\$672,634)	(\$672,634)
308	Adjust	16500	505200	Central Police Services - E-911 Fund	Clothing Supplies			\$7,250		\$3,000	(\$4,250)	(\$4,250)
308	Adjust	16500	506200	Central Police Services - E-911 Fund	Maintenance and Repair			\$21,000		\$17,500	(\$3,500)	(\$3,500)

341	Adjust	16200	502000	Enviroment & Planning	Fringe Benefits			\$570,580		\$520,580	(\$50,000)	(\$50,000)
343	New	1332010	New	Community/Neighborhood Development	Vive la Casa			\$0		\$90,000	\$90,000	\$90,000
376	New	420	504990	Buffalo and Erie County Public Library	Reductions - Personal Services Account			(\$4,940,000)		(\$940,000)	\$4,000,000	
377	Revenue	420	486000	Buffalo and Erie County Public Library	Interfund Revenue Subsidy			\$0		\$4,000,000	\$4,000,000	\$4,000,000
402	Restore	16410	1641010	Parks	Park Superintendent	11	0	\$0	1	\$54,945	\$54,945	\$54,945
406	Adjust	16410	500000	Parks	Full Time - Salaries			\$1,538,468		\$1,593,413	\$54,945	\$54,945
406	Adjust	16410	502000	Parks	Fringe Benefits			\$1,551,525		\$1,579,025	\$27,500	\$27,500
436	Delete	12220	1222010	Buildings and Grounds	Director of Real Estate	22	1	\$129,453	0	\$0	(\$129,453)	(\$129,453)
437	Restore	12220	1222030	Buildings and Grounds	Building Guard	4	0	\$0	3	\$85,722	\$85,722	\$85,722
439	Adjust	12220	500000	Buildings and Grounds	Full Time - Salaries			\$4,956,402		\$4,912,671	(\$43,731)	(\$43,731)
439	Adjust	12220	502000	Buildings and Grounds	Fringe Benefits			\$3,289,044		\$3,268,044	(\$21,000)	(\$21,000)
439	Adjust	12220	516020	Buildings and Grounds	Professional Svcs Contracts & Fees			\$264,759		\$164,759	(\$100,000)	(\$100,000)

ERIE COUNTY LEGISLATURE

BARBARA MILLER-WILLIAMS

*Chair of the Legislature
3rd District Legislator*



☐ 427 William Street
Buffalo, New York 14204
716/842-0490
FAX: 716/854-5722

☐ 92 Franklin Street, 4th Floor
Buffalo, New York 14202
716/858-8869
FAX: 716/858-8895

RFP

November 19, 2010

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin St., 4th Floor
Buffalo, N.Y. 14202

Dear Mr. Graber:

Please be advised that there is a need to revise the schedule of Erie County Legislature budget meetings due to scheduling conflicts. Therefore, pursuant to Rule 2.02 of the Rules of Order of the Erie County Legislature, you are hereby directed to call a SPECIAL MEETING of the Erie County Legislature to be held on TUESDAY, NOVEMBER 23, 2010 at 1:15 O'CLOCK in the afternoon of that day in the Erie County Legislature Chambers, 4th Floor of Old County Hall, 92 Franklin St., Buffalo, N.Y. This meeting will supersede the previous noticed special meeting scheduled for 1:00 P.M. on that day.

The purpose of the Special Meeting will be to consider the Report of the Legislature's Finance, Management & Budget Committee, concerning the County Executive's 2011 Tentative Erie County Budget, as may be amended.

Furthermore, there is a need to cancel and reschedule the Erie County Legislature's Annual Meeting for the Adoption of the Budget currently scheduled for Monday, November 29, 2010 (originally scheduled for Tuesday, December 7, 2010). You are further directed to reschedule said Annual Meeting for the Adoption of the Budget for TUESDAY, NOVEMBER 30, 2010 at 1:15 O'CLOCK in the afternoon of that day in the Chambers of the Erie County Legislature, 4th Floor of Old County Hall, 92 Franklin St., Buffalo, N.Y.

The purpose of the Annual Meeting for the Adoption of the Budget will be to consider the Report of the Legislature's Finance, Management & Budget Committee, concerning the County Executive's 2011 Tentative Erie County Budget, as may be amended.

The items on the agenda of the Special Meeting to be held on TUESDAY, NOVEMBER 23, 2010 will include consideration of the Report from the Legislature's Finance, Management & Budget Committee; my letter to you calling the Special Meeting and cancelling and rescheduling the Budget Meetings; and your Memo as Clerk of the Legislature to Members of the Legislature calling the Special Meeting and cancelling and rescheduling the Budget Meetings.

Thank you.

Sincerely,

Barbara Miller-Williams
Barbara Miller-Williams, Chair
Erie County Legislature

22E-1

"We are here to serve the Community"



County of Erie

MARK C. POLONCARZ
COMPTROLLER

December 10, 2010

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

Re: Legislature Amendments to the 2011 Tentative Budget

Dear Honorable Legislators:

On November 30, 2010, the Erie County Legislature (the "Legislature") adopted a certain resolution, referenced as Communication 17E-1 (2010), which amended and approved County Executive Christopher C. Collins' tentative 2011 budget (the "2011 Amended Budget"). Similar to our office's review dated October 13, 2010 of the County Executive's 2011 tentative budget (the "Report"), our office has reviewed the 2011 Amended Budget.

Based on our review, which was a line-by-line review of the amendments adopted by the Legislature, our office has determined that the Legislature enacted \$8,293,594 of cuts and \$8,180,570 of additions to the County Executive's tentative budget. As such, the 2011 Amended Budget is not only balanced but is in fact smaller than the County Executive's original proposal by \$113,024. Therefore, any statements that the 2011 Amended Budget, as adopted by the Legislature, would result in a tax increase are not based on fact and are nothing more than political hyperbole.

Legislature Reductions to the County Executive's Tentative 2011 Budget

As noted above, the Legislature enacted \$8,293,594 of cuts to the County Executive's tentative 2011 budget. The cuts were comprised of three (3) primary areas: (1) salary and/or position reductions; (2) reductions in non-personnel lines (risk retention, professional service contracts, fringe benefits, etc.) to adjust for proposed overspending in those lines; and (3) adjustments to move certain dispatch employees back to the Sheriff's Department ("Sheriff") from a proposed move to Central Police Services ("CPS").

In regard to the first area of cuts, salary and/or position reductions (and not including the transfer of the positions back to the Sheriff from CPS), the 2011 Amended Budget cut \$307,377 from the County Executive's original proposal. The majority of these cuts were reductions in salaries; only three were actually the deletion of personnel: Assistant Commissioner – Administration in the Department of Social Services, Special Assistant-Commissioner of Health and Director of Real Estate.

Comptroller Review of Legislature's Amended 2011 Budget
December 10, 2010
Page 2 of 3

In regards to the second area of cuts, reductions in non-personnel lines, the 2011 Amended Budget cut \$6,730,165 from the County Executive's original proposal. Of that total, \$2,000,000 was reduced from the risk retention account, \$1,470,000 from professional services contracts, \$2,835,165 from fringe benefits, and the remaining \$425,000 from various lines (overtime, rental charges, etc.).

As noted in our Report, based on past history and current year expenditures, we believe that there was significant ability to reduce the risk retention account proposed funding. In fact, it has been the past practice of the County to re-appropriate the current year's fund to the next year. As of September 30, 2010, approximately \$5.75 million was available in the Fund. As of today's date \$5,546,323 is available in the Fund. So we believe the reduction of \$2,000,000 was appropriate.

In regards to the reduction of fringe benefit lines, as noted in our Report, for the past few years the administration has significantly increased fringe benefit lines above actual past year spending. As one example, the 2009 adopted budget proposed spending \$20.4 million for the Jail Management fringe benefit line, though 2007 and 2008 expenses did not show the need for such spending. In fact, actual 2008 expense was \$16,022,841 and final 2009 expense was \$16.3 million, resulting in a \$4,000,000 positive variance.

For 2010 the same result appears to be occurring in not only the Jail Management line but other departments as well – significant over budgeting in fringe benefit accounts. As stated in the Report, "This appears to be a continuing fiscal gimmick of the administration to hide revenues behind non-existent expenses, perhaps to avoid funding other areas or to help create an end of year surplus." As such, our office believes the reductions to the various fringe benefit lines were not only appropriate, but necessary to avoid the waste of tax dollars on phantom spending.

In regards to the final area, the adjustments to move certain dispatch employees back to the Sheriff from a proposed move to CPS in the E-911 Fund, these cuts resulted in a \$1,256,052 reduction from the County Executive's tentative budget. However, this is a bit misleading as the positions associated with that reduction were moved, not deleted, from the budget. In fact, after the positions were moved the salaries were kept the same, \$583,418, but the fringe benefit line was reduced by \$342,000. Based on our office's review, as above, we believe that reduction in the fringe benefit line was appropriate based on past spending and current year projections.

Based on our office's review of Erie County's Charter, past practices, and legal precedent, we opine that these cuts are legal and appropriate and well within the power of the Legislature to enact.

Legislature Additions to the County Executive's Tentative 2011 Budget

As noted above, the Legislature's combined amendment package included \$8,180,570 of additions to the County Executive's proposal. These additions were comprised of five (5) areas: (1) \$4,000,000 for restoration of the library system; (2) \$1,199,086 for restoration of funding for cultural organizations; (3) \$490,000 in restoration of funding for Vive la Casa and the "Operation Primetime" programs; (4) \$1,577,432 in restoration for personnel and other related departmental costs; and (5) \$914,052 to effectuate the transfer of the E-911 Fund dispatcher positions back to the Sheriff's control.

Comptroller Review of Legislature's Amended 2011 Budget
December 10, 2010
Page 3 of 3

It should be noted that in some departments where positions were restored to the budget, a corresponding increase might not have been made to the fringe benefit lines of those departments. However, based on our review of the County Executive's original proposal for those departments, it appears that the fringe benefit lines for those departments were initially inflated and the Legislature was correct in not increasing those lines. To do so would have compounded the administration's original error of over budgeting fringe benefit lines throughout the County.

It appears that the Legislature appropriately funded the additions to the library system by properly identifying and funding the interfund revenue subsidy lines for both the County and the Library System. As such, we believe the Legislature's additions were properly identified, and as such, funded.

In conclusion, our office can confirm that the 2011 Amended Budget is in fact \$113,024 less than the County Executive's original proposal, that the cuts and adoptions were enacted appropriately by the Legislature, within its full power, and no tax increase should occur as a result of the Legislature's actions. Considering the size of the County's budget, this amendment package is a total change of only .007% – not even one percent (1.0%) – of the County's General Fund budget. These amendments do not increase total spending above the County Executive's proposed 2011 Budget and are budget-neutral, contrary to the County Executive's recent statements this week.

Based on my office's review of the 2011 Amended Budget, I can assure the Legislature and the citizens of Erie County that the County Executive's statements are wrong and the Legislature's modest budget amendments are reasonable.

As always, if you have any questions on this matter please contact the undersigned at your earliest convenience.

Sincerely yours,


Mark C. Poloncarz
Erie County Comptroller

MCP/nr

Cc: Hon. Christopher C. Collins, Erie County Executive
Gregory G. Gach, Dir. Of Budget and Management
Erie County Fiscal Stability Authority

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

In the Matter of the Application of
MARIA WHYTE, in her official capacity as Erie County
Legislator for the 6th District
THOMAS J. MAZUR, in his official capacity as Erie County
Legislator for the 8th District
THOMAS A. LOUGHRAN, in his official capacity as Erie
County Legislator for the 14th District
LYNN M. MARINELLI, in her official capacity as Erie
County Legislator for the 11th District

Petitioners,

For a Judgment Pursuant to CPLR Article 78
and for a Declaratory Judgment
-against-

CHRIS COLLINS, in his official capacity as
County Executive,
ERIE COUNTY LEGISLATURE,
BARBARA MILLER-WILLIAMS, in her official capacity as
Erie County Legislator for the 3rd District
DANIEL M. KOZUB, in his official capacity as Erie County
Legislator for the 1st District
TIMOTHY M. KENNEDY, in his official capacity as Erie County
Legislator for the 2nd District
CHRISTINA BOVE, in her official capacity as Erie County
Legislator for the 9th District
BETTY JEAN GRANT, in her official capacity as Erie County
Legislator for the 7th District
EDWARD A. RATH III, in his official capacity as Erie County
Legislator for the 15th District
RAYMOND WALTER, in his official capacity as Erie County
Legislator for the 4th District
JOHN MILLS, in his official capacity as Erie County Legislator
for the 13th District
LYNN DIXON, in her official capacity as Erie County Legislator
for the 12th District
KEVIN HARDWICK, in his official capacity as Erie County
Legislator for the 10th District
DINO FUDOLI, in his official capacity as Erie County Legislator
for the 5th District
ERIE COUNTY

Respondents.

VERIFIED PETITION
INDEX NO.

12-17-10-17480

FILED
2010 DE 14 PM 2:29
ERIE COUNTY
CLERK'S OFFICE

STATE OF NEW YORK

COUNTY OF ERIE

1. Petitioner, **MARIA R. WHYTE**, is a duly elected Erie County Legislator for the Sixth Legislative District and currently, and at all times hereinafter mentioned, serves as a member of the Erie County Legislature ("Legislature") and is a resident of Erie County.

2. Petitioner, **THOMAS J. MAZUR**, is a duly elected Erie County Legislator for the Eighth Legislative District and currently, and at all times hereinafter mentioned, serves as a member of the Erie County Legislature ("Legislature") and is a resident of Erie County.

3. Petitioner, **THOMAS A LOUHGRAN**, is a duly elected Erie County Legislator for the Fourteenth Legislative District and currently, and at all times hereinafter mentioned, serves as a member of the Erie County Legislature ("Legislature") and is a resident of Erie County.

4. Petitioner, **LYNN M. MARINELLI**, is a duly elected Erie County Legislator for the Eleventh Legislative District and currently, and at all times hereinafter mentioned, serves as a member of the Erie County Legislature ("Legislature") and is a resident of Erie County.

5. Respondent, **CHRIS COLLINS**, ("Collins") is the duly elected County Executive of the County of Erie. He maintains an office at the Erie County Rath Building, Buffalo, New York. Petitioners bring this suit against Collins in his official capacity as the County Executive of the County of Erie and State of New York.

6. Respondent, **BARBARA MILLER-WILLIAMS**, is a duly elected Erie County Legislator for the Third Legislative District and currently, and at all times hereinafter mentioned,

serves as a member of the Erie County Legislature (“Legislature”) and is a resident of Erie County.

7. Respondent, **DANIEL KOZUB**, is a duly elected Erie County Legislator for the First Legislative District and currently, and at all times hereinafter mentioned, serves as a member of the Erie County Legislature (“Legislature”) and is a resident of Erie County.

8. Respondent, **BETTY JEAN GRANT**, is a duly elected Erie County Legislator for the Seventh Legislative District and currently, and at all times hereinafter mentioned, serves as a member of the Erie County Legislature (“Legislature”) and is a resident of Erie County.

9. Respondent, **TIMOTHY M. KENNEDY**, is a duly elected Erie County Legislator for the Second Legislative District and currently, and at all times hereinafter mentioned, serves as a member of the Erie County Legislature (“Legislature”) and is a resident of Erie County.

10. Respondent, **CHRISTINA BOVE**, is a duly elected Erie County Legislator for the Ninth Legislative District and currently, and at all times hereinafter mentioned, serves as a member of the Erie County Legislature (“Legislature”) and is a resident of Erie County.

11. Respondent, **BETTY JEAN GRANT**, is a duly elected Erie County Legislator for the Seventh Legislative District and currently, and at all times hereinafter mentioned, serves as a member of the Erie County Legislature (“Legislature”) and is a resident of Erie County.

12. Respondent, **EDWARD A. RATH, III**, is a duly elected Erie County Legislator for the Fifteenth Legislative District and currently, and at all times hereinafter mentioned, serves as a member of the Erie County Legislature (“Legislature”) and is a resident of Erie County.

13. Respondent, **RAYMOND WALTER**, is a duly elected Erie County Legislator for the Fourth Legislative District and currently, and at all times hereinafter mentioned, serves as a member of the Erie County Legislature ("Legislature") and is a resident of Erie County.

14. Respondent, **JOHN MILLS**, is a duly elected Erie County Legislator for the Thirteen Legislative District and currently, and at all times hereinafter mentioned, serves as a member of the Erie County Legislature ("Legislature") and is a resident of Erie County.

15. Respondent, **LYNN DIXON**, is a duly elected Erie County Legislator for the Twelfth Legislative District and currently, and at all times hereinafter mentioned, serves as a member of the Erie County Legislature ("Legislature") and is a resident of Erie County.

16. Respondent, **KEVIN HARDWICK**, is a duly elected Erie County Legislator for the Tenth Legislative District and currently, and at all times hereinafter mentioned, serves as a member of the Erie County Legislature ("Legislature") and is a resident of Erie County.

17. Petitioners make this Verified Petition in support of the application to enjoin further action by the Erie County Legislature; County Executive Chris Collins and/or Erie County upon the 2011 Erie County Budget until such time as the issues raised herein can be determined. I further make this Petition in support of this Article 78 proceeding and declaratory judgment action seeking an order determining that County Executive Chris Collins acted in excess of his authority when declaring actions of the Erie County Legislature "null and void"; in objecting to rather than simply vetoing additions to the 2011 budget made by the Legislature; and that the Amendments to the Erie County Budget were proper.

18. Petitioners have standing to bring this proceeding by virtue of having voted in favor of the Amendments to the 2011 Erie County Budget and for those reasons more fully set forth in the affirmation of Marc Panepinto, Esq.

19. On October 1, 2010 the county executive submitted his proposed 2011 Erie County Budget. A copy of Budget Book A is attached hereto as Exhibit A. Section 2608(A) of the Erie County Charter ("Charter") provides that the "Legislature, after one or more public hearings, may strike items of appropriation from the tentative budget or reduce items therein, excepting appropriations required by law or for debt service. Decreases shall not require executive approval." Upon receipt of the tentative budget and in accordance with the mandates of the Charter, the Legislature undertook its consideration of the budget including conducting budget hearings.

20. Upon completion of its review, the Legislature prepared various amendments to the budget. Amendment "1" was adopted by the Legislature by a margin of 9-6. See Amendment "1" attached hereto as Exhibit B. That Amendment contains reductions in spending totaling \$8,293,594 and additions totaling \$8,180,570. This results in a net decrease in spending of \$113,024 from the county executive's proposed budget. In addition Amendments "2" – "48" were adopted by unanimous and/or near unanimous vote of the Legislature. Amendments "2" – "48" are attached hereto as Exhibit C. The Amendments were lawfully adopted on November 30, 2010 and delivered to the county executive the next day.

21. On December 13, 2010 at approximately 4:00 pm. The county executive delivered a veto message declaring the all of the amendments to the 2011 Erie County Budget made by the

Legislature to be null and void and making unsupported allegations that the amendments would result in a tax increase.

22. Members of the Legislature, including petitioners, are now unable to perform their Charter mandated duty to reconsider the budget because the county executive has improperly declared various reductions or decreases contained in the Legislature's budget amendment to be "null and void". Without an injunction, the Legislature would be required to vote to override the county executive's veto today, Tuesday, December 14, 2010. Once that vote is taken, it is a final determination on the budget and petitioners would be left without an adequate remedy at law. Once taken, that vote cannot be undone and the county executive's improper and illegal usurpation of Legislative function and power would become final and binding. Moreover, because the veto message is improper and illegal, there is no way to know prior to the resolution of the underlying declaratory judgment action, what revenues and expenditures are being voted upon.

23. The county executive's veto message makes the wholly conclusory statement that this budget amendment will result in increased taxes yet provides absolutely no support for that assertion. In fact, the Finance and Management Committee invited the administration to attend its meeting held yesterday specifically for the purpose of discussing any issues that the administration had with the Amendment. The administration refused to attend and refused to send someone from the Budget Office to attend. Unfortunately as a result of the administration's refusal to discuss or explain its assertions, there is no other way to resolve the issues raised by the county executive except to bring the matter before this Court to seek a declaratory judgment.

24. The Amendments at issue were prepared by the petitioners herein and other members of the Democratic Caucus. Each of the items contained in the Amendments are justified and well within the powers of the Erie County Legislature. Thus Amendment "1" and the other Amendments referenced in the veto message were validly adopted by the Legislature.

25. Each and every item contained in each and every Amendment is valid. In fact, the Democratic Caucus prepared a detailed analysis of each and every action taken in Amendments 1-48 to the 2011 Budget. A copy of the detailed analysis is attached hereto as Exhibit D and various items are detailed more fully below. This breakdown was provided to the administration and the administration was invited to discuss the same at the Finance and Management meeting scheduled for December 13, 2010.

Legislature Followed the Charter and Legislative Rules

26. As is more fully and completely set forth in the affirmation of Marc C. Panepinto, it is clear that the assertions in the veto message that the Legislature failed to properly adopt the amendment because it was not done in a line by line fashion are wholly incorrect. As is evidenced therein, the amendments were clocked in well prior to forty eight (48) hours before the annual meeting and before the report of the Finance, Management and Budget Committee was laid on the table. Thus the amendments were properly adopted.

Fringe Benefits were Properly Reduced

27. Fringe benefits include the following additions to expenses associated with employees: employee medical insurance, FICA, worker's compensation insurance; unemployment insurance; retiree medical insurance and pension costs. Obviously fringe benefit expenses decrease when the number of employees in any given department is reduced.

28. According to the testimony of Budget Director Greg Gach, the standard method used to calculate the cost of fringe benefits to any Department is to multiply the total salary expense by 52% to account for the cost of the items set forth above. As is set forth in detail in Exhibit D, the Legislature allocated fringe benefit expenses at more than 52% of the total salaries in every department wherein cuts were made.

29. The Legislature reduced fringe benefits in the tentative budget by \$2,835,165. The lion's share of that reduction was the \$2,000,000 reduction to fringe benefits in the Jail Management Division. A detailed review of this line item will be useful for the Court's analysis of the propriety of the fringe benefit reductions made by the Legislature.

30. In the 2011 tentative budget, the Jail Management Division requested fringe benefits in the amount of \$19,692,112 for 805 employees. The county executive's tentative budget included \$21,631,684 for only 682 jobs. That is an *increase* of \$1,939,572.00 over what the department requested despite a *reduction* of 123 jobs.

31. There is no valid reason to add \$1.9 million in fringe benefits to a department that is reduced by 123 jobs. Thus the county executive's argument that the legislature improperly reduced the fringe benefits without cutting the associated positions is spurious at best.

32. An historical review of the fringe benefits associated with Jail Management Division employees further reveals the justification for the cuts. The **actual** fringe benefit expense associated with the Jail Management Division from 2006-2009 averages \$22,592.00 per employee. The county executive's proposed budget estimates that the average fringe benefit expense per employee will be \$29,674.71. The historical data further evidences that the county executive's proposed budget overestimated the fringe benefit expense by approximately

\$5,809,476.10. (See Jail Management Division Budget Breakdowns from 2008-2009 attached as Exhibit E. Information relative to the 2010 Jail Management Division is contained in Exhibit A.). Thus the legislature's reduction of that line by \$2,000,000 was not only proper, but it was sound fiscal policy well within the legislature's discretion.

33. The county executive's intentional overestimation of the anticipated fringe benefit expense is not only fiscally irresponsible in a time of great financial stress, but it is illegal. The Court of Appeals in Korn v. Gulotta, 72 NY2d 363, 373 (1988) made it clear that this process of stockpiling public funds is prohibited when it stated that there is a "strong policy of the law to require a full accounting of all public funds and to prevent municipal governments from acquiring tax proceeds faster than they are needed. A corollary of the generally recognized principle is that funds may not be accumulated for the remote future or for contingencies which may never occur." That is precisely what the county executive is doing by irrationally increasing the fringe benefit expense estimates while at the same time cutting positions that would generate the expenses.

Personnel Department Reductions were Proper

34. The same type of impermissible stockpiling occurred in the fringe benefit line of the Personnel Department. The 2011 Personnel fringe benefit account was reduced by \$25,000 from \$701,454 to \$676,454 by the Legislature. The Personnel Department has been allotted 24 jobs for 2011. The historical data again reveals that this cut was totally appropriate. In 2009, the Department's adjusted fringe benefit expense was \$556,834 for 29 jobs. In 2010, the Department's adjusted fringe benefit expense was \$667,907 for 30 jobs. This year, with the

Legislative reductions the department is still budgeted to get \$8,547.00 more than they needed last year and that is with 6 fewer people.

35. The county executive's assertion that the cuts to the fringe benefits in various departments is improper because corresponding cuts in the number of jobs were not made is fatally flawed. It is clear from the evidence submitted herewith, including the report of the Erie County Comptroller, that the fringe benefit amounts allocated by the Legislature are more than sufficient. What is improper is the county executive's improper overfunding of those fringe benefit lines.

Salary and/or Position Cuts were properly made

36. The Amendment cut \$307,377 in salary and/or position cuts from the county executive's original proposal. The majority of the cuts were reductions in salary as is detailed on Exhibit D. There can be no serious dispute that the Legislature has the power to reduce salaries as it deems appropriate. Three cuts were the actual deletion of personnel: Assistant Commissioner – Administration in the Department of Social Services; Special Assistant – Commissioner of Health; and Director of Real Estate. The elimination of these positions is squarely within the Legislature's prerogative. In fact, in Gallagher v. Regan 55 AD2d 284, 294 (4th Dept 1976), the Fourth Department held that "statutory authority for the Legislature to abolish positions is presented in section 204 of the County Law which provides in part that the Legislature shall have the power to establish positions of employment and may abolish the same. The establishment of such positions may be by local law, by resolution and or *by the adoption of a budget*" (internal quotations omitted)(emphasis added). The court went on to find that the abolishment of positions was a decrease in appropriations and therefore not subject to executive

veto. Id at 295. Such is the case here and therefore the county executive's declaration that those cuts were null and void was improper.

37. The county executive fails to specifically address these reductions except to state that they were null and void.

Risk Retention Fund and Worker's Compensation Fund Reductions were proper.

38. The Legislature reduced the Risk Retention Fund by \$2,000,000. In 2009, the county executive acknowledged that the Legislature had the power to do so. See 2009 veto Message page 4. It stands to reason that the Legislature retains that power in 2010 for the 2011 budget. Thus any objection to the same at this point is clearly erroneous.

39. The Workers Compensation Funds was also reduced by \$1,000,000. For the reasons stated above, the county executive does not have the authority to object to this reduction, nor does he have the authority to declare the action of the Legislature in doing so "null and void"

40. It is clear that the Legislature has made its reductions on a line by line basis and in conformity with the holding in Blackwell v. Gorski, Index No. 14641-92 (Erie County 1992). Each and every item that was reduced was listed line by line and properly identified in the Legislature's budget amendment.

Dated: December 14, 2010

VERIFICATION

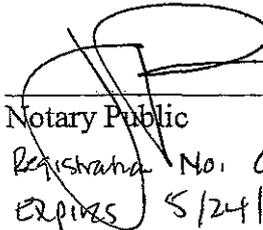
STATE OF NEW YORK)
COUNTY OF ERIE) s.s.:
CITY OF BUFFALO)

MARIA WHYTE, being duly sworn, deposes and says that she is the duly elected Erie County Legislator for the 6th District of Erie County and the Petitioner in this matter; and has read the Petition, and that the contents of said Petition are true to the knowledge of deponent, except as to those matters therein stated to be alleged on information and belief, and as to those matters deponent believes the same to be true.

That deponent as the duly elected Erie County Legislator for the 6th District of Erie County and all the material allegations set forth in the Petition are within the personal knowledge of deponent as the duly elected Erie County Legislator for the 6th District of Erie County.


MARIA R. WHYTE

Sworn to before me this 14th
day of December 2010

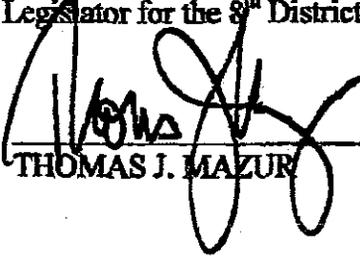

Notary Public
Registration No. 02PE 611 0149
EXPIRES 5/24/12

VERIFICATION

STATE OF NEW YORK)
COUNTY OF ERIE) s.s.:
CITY OF BUFFALO)

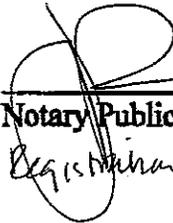
THOMAS J. MAZUR, being duly sworn, deposes and says that he is the duly elected Erie County Legislator for the 8th District of Erie County and the Petitioner in this matter, and has read the Petition, and that the contents of said Petition are true to the knowledge of deponent, except as to those matters therein stated to be alleged on information and belief, and as to those matters deponent believes the same to be true.

That deponent as the duly elected Erie County Legislator for the 8th District of Erie County and all the material allegations set forth in the Petition are within the personal knowledge of deponent as the duly elected Erie County Legislator for the 8th District of Erie County.



THOMAS J. MAZUR

Sworn to before me this 14
day of December 14, 2010



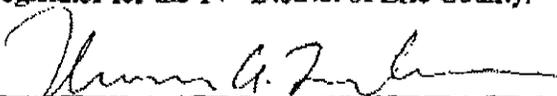
Notary Public
Registration No. 02PE6110149

VERIFICATION

STATE OF NEW YORK)
COUNTY OF ERIE) s.s.:
CITY OF BUFFALO)

THOMAS A. LOUGHRAN, being duly sworn, deposes and says that he is the duly elected Erie County Legislator for the 14th District of Erie County and the Petitioner in this matter; and has read the Petition, and that the contents of said Petition are true to the knowledge of deponent, except as to those matters therein stated to be alleged on information and belief, and as to those matters deponent believes the same to be true.

That deponent as the duly elected Erie County Legislator for the 14th District of Erie County and all the material allegations set forth in the Petition are within the personal knowledge of deponent as the duly elected Erie County Legislator for the 14th District of Erie County.


THOMAS A. LOUGHRAN

Sworn to before me this 14
day of December 4, 2010


Notary Public

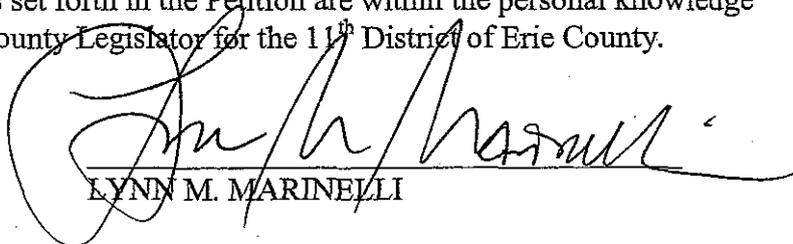
Registred No 02PE6110149
Expires: 5/24/12

VERIFICATION

STATE OF NEW YORK)
COUNTY OF ERIE) s.s.:
CITY OF BUFFALO)

LYNN M. MARINELLI, being duly sworn, deposes and says that she is the duly elected Erie County Legislator for the 11th District of Erie County and the Petitioner in this matter; and has read the Petition, and that the contents of said Petition are true to the knowledge of deponent, except as to those matters therein stated to be alleged on information and belief, and as to those matters deponent believes the same to be true.

That deponent as the duly elected Erie County Legislator for the 11th District of Erie County and all the material allegations set forth in the Petition are within the personal knowledge of deponent as the duly elected Erie County Legislator for the 11th District of Erie County.



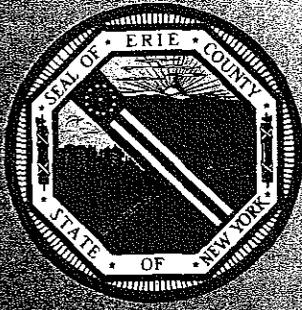
LYNN M. MARINELLI

Sworn to before me this 14
day of December 14, 2010



Notary Public
Registration No 02PE6110149
Expires 5/24/12

John C. Davis
Majority Chief of Staff



ERIE COUNTY BUDGET 2011



Newly Renovated Buffalo Niagara Convention Center

BOOK A

OPERATING FUNDS

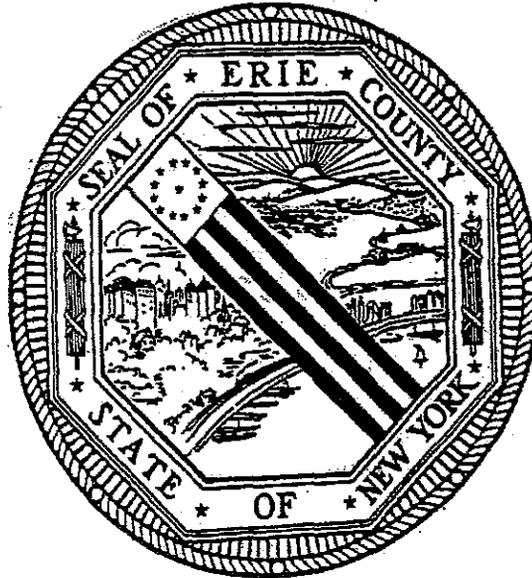


Lean
Six Sigma

CHRIS COLLINS
COUNTY EXECUTIVE

GREGORY G. GACH
DIRECTOR OF BUDGET
& MANAGEMENT

OPEN



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "1"

Book A

Amendment to Comm. 17E-1 (2010)

23E-1

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
16	Adjust	10110	1011010	County Executive	Deputy County Executive	58	1	\$114,109	1	\$107,397	(\$6,712)	(\$6,713)
17	Adjust	10110	500000	County Executive	Full Time - Salaries			\$549,983		\$543,271	(\$6,712)	(\$6,712)
					Associate Deputy							
28	Restore	11200	1120010	Comptroller	Comptroller	16	0	\$0	1	\$83,356	\$83,356	\$83,356
28	Restore	11200	1120010	Comptroller	Secretary, Comptroller	8	0	\$0	1	\$32,604	\$32,604	\$32,604
28	Restore	11200	1120020	Comptroller	Administrative Clerk	7	0	\$0	1	\$37,611	\$37,611	\$37,611
28	Restore	11200	1120030	Comptroller	Senior Auditor	13	0	\$0	1	\$72,817	\$72,817	\$72,817
28	Restore	11200	1120030	Comptroller	Staff Auditor	11	0	\$0	3	\$172,660	\$172,660	\$172,660
28	Restore	11200	1120030	Comptroller	Accountant Auditor	9	0	\$0	2	\$87,239	\$87,239	\$87,239
					Assistant Director of							
28	Restore	11200	1120040	Comptroller	Revenue Recovery	11	0	\$0	1	\$56,252	\$56,252	\$56,252
28	Restore	11200	1120050	Comptroller	Supervising Accountant	11	0	\$0	1	\$57,554	\$57,554	\$57,554
28	Restore	11200	1120050	Comptroller	Junior Tax Accountant	9	0	\$0	1	\$44,165	\$44,165	\$44,165
28	Restore	11200	1120050	Comptroller	Senior Cashier	7	0	\$0	2	\$87,760	\$87,760	\$87,760
28	Restore	11200	1120050	Comptroller	Cashier	6	0	\$0	1	\$31,705	\$31,705	\$31,705
30	Adjust	11200	500000	Comptroller	Full Time - Salaries			\$1,550,045		\$2,313,768	\$763,723	\$763,723
30	Adjust	11200	502000	Comptroller	Fringe Benefits			\$942,832		\$1,032,568	\$89,736	\$89,736
					Professional Svcs Contracts							
30	Adjust	11200	516020	Comptroller	& Fees			\$360,900		\$410,900	\$50,000	\$50,000
38	Adjust	11110	1111010	Real Property Tax	Chief Data Tax Clerk	12	1	\$59,268	1	\$47,741	(\$11,527)	(\$11,527)
39	Adjust	11110	500000	Real Property Tax	Full Time - Salaries			\$442,157		\$430,630	(\$11,527)	(\$11,527)
50	Delete	16010	1601010	County Attorney	County Attorney	60	1	\$149,831	0	\$0	(\$149,831)	(\$149,831)
50	New	16010	1601010	County Attorney	County Attorney	21	0	\$0	1	\$99,226	\$99,226	\$99,226
					First Assistant County							
50	Adjust	16010	1601010	County Attorney	Attorney	19	1	\$111,101	1	\$95,356	(\$15,745)	(\$15,746)
					Second Assistant County							
50	Adjust	16010	1601010	County Attorney	Attorney	18	1	\$89,731	1	\$77,723	(\$12,008)	(\$12,009)
52	Adjust	16010	500000	County Attorney	Full Time - Salaries			\$1,210,634		\$1,132,276	(\$78,358)	(\$78,358)
					Professional Svcs Contracts							
52	Adjust	16010	516020	County Attorney	& Fees			\$395,000		\$245,000	(\$150,000)	(\$150,000)
56	Adjust	16020	555050	Risk Retention	Insurance Premiums			\$3,000,000		\$1,000,000	(\$2,000,000)	(\$2,000,000)
					Worker's							
56	Adjust	16030	502050	Compensation	Worker's Compensation			\$13,008,100		\$12,008,100	(\$1,000,000)	(\$1,000,000)
					Worker's							
56	Adjust	16030	502130	Compensation	Worker's Comp Other Fd Reimbursement			(\$12,008,100)		(\$11,008,100)	\$1,000,000	\$1,000,000
69	Adjust	16110	502000	Personnel	Fringe Benefits			\$701,454		\$676,454	(\$25,000)	(\$25,000)
					Professional Svcs Contracts							
86	Adjust	10310	516020	Labor Relations	& Fees			\$17,083		\$7,083	(\$10,000)	(\$10,000)

169	New	12530	109754	Youth Bureau	Crucial Human Services	\$0	\$7,400	\$7,400	\$7,400
169	New	12530	114359	Youth Bureau	Elim Community Corp	\$0	\$10,000	\$10,000	\$10,000
169	New	12530	102707	Youth Bureau	Erie Regional Housing Dev Corp (Belle)	\$0	\$10,000	\$10,000	\$10,000
169	New	12530	119259	Youth Bureau	First Hand Learning	\$0	\$10,000	\$10,000	\$10,000
169	New	12530	119259	Youth Bureau	First Hand Learning (Detention on-site)	\$0	\$2,200	\$2,200	\$2,200
169	New	12530	129763	Youth Bureau	HEART Foundation	\$0	\$6,000	\$6,000	\$6,000
169	New	12530	121386	Youth Bureau	Jericho Road Ministries	\$0	\$7,500	\$7,500	\$7,500
169	New	12530	104386	Youth Bureau	Lackawanna Yemen Soccer Club	\$0	\$10,000	\$10,000	\$10,000
169	New	12530	108781	Youth Bureau	Literacy Volunteers	\$0	\$2,010	\$2,010	\$2,010
169	New	12530	108781	Youth Bureau	Literacy Volunteers (Detention on-site)	\$0	\$2,010	\$2,010	\$2,010
169	New	12530	130214	Youth Bureau	Making Fishers of Men & Women	\$0	\$7,500	\$7,500	\$7,500
169	New	12530	108646	Youth Bureau	Lt Col Matt Urban Community Center	\$0	\$7,500	\$7,500	\$7,500
169	New	12530	112302	Youth Bureau	Metro Community Development Corp	\$0	\$10,000	\$10,000	\$10,000
169	New	12530		Youth Bureau	MicroBiz Buffalo	\$0	\$3,084	\$3,084	\$3,084
169	New	12530	115673	Youth Bureau	North Buffalo Community Development	\$0	\$7,340	\$7,340	\$7,340
169	New	12530	109626	Youth Bureau	Northwest Buffalo Community center	\$0	\$10,000	\$10,000	\$10,000
169	New	12530	105778	Youth Bureau	Old First Ward Community Assn	\$0	\$9,091	\$9,091	\$9,091
169	New	12530	129842	Youth Bureau	On the Job Ministries	\$0	\$3,000	\$3,000	\$3,000
169	New	12530	105892	Youth Bureau	Parkside Community Assn of Buffalo	\$0	\$5,000	\$5,000	\$5,000
169	New	12530	106127	Youth Bureau	Police Athletic League of Buffalo Inc	\$0	\$6,000	\$6,000	\$6,000
169	New	12530	109758	Youth Bureau	Schiller Park Community Services	\$0	\$10,000	\$10,000	\$10,000
169	New	12530	109744	Youth Bureau	Seneca Babcock Comm Association	\$0	\$10,000	\$10,000	\$10,000
169	New	12530	131015	Youth Bureau	Seneca Street Community Development Corp	\$0	\$5,000	\$5,000	\$5,000
169	New	12530	110692	Youth Bureau	Town of Tonawanda Youth Bureau	\$0	\$10,000	\$10,000	\$10,000
169	New	12530	109805	Youth Bureau	United Way of Buffalo & Erie Co.	\$0	\$6,000	\$6,000	\$6,000
169	New	12530	107875	Youth Bureau	University Heights Comm Dev Assn	\$0	\$7,500	\$7,500	\$7,500
169	New	12530	109685	Youth Bureau	Urban Christian Ministries	\$0	\$10,000	\$10,000	\$10,000
169	New	12530	109770	Youth Bureau	Valley Community Assn	\$0	\$10,000	\$10,000	\$10,000

245	Adjust	12740	516020	Medical Examiner	Professional Svcs Contracts & Fees			\$298,250		\$248,250	(\$50,000)	(\$50,000)
252	Adjust	12750	502000	Persons with Special Needs	Fringe Benefits			\$662,085		\$612,085	(\$50,000)	(\$50,000)
252	Adjust	12750	516020	Persons with Special Needs	Professional Svcs Contracts & Fees			\$90,000		\$60,000	(\$30,000)	(\$30,000)
283	Adjust	11510	502000	Sheriff Division	Fringe Benefits			\$5,127,496		\$4,927,496	(\$200,000)	(\$200,000)
290	Adjust	116	500320	Jail Management	Uniform Allowance			\$521,500		\$496,500	(\$25,000)	(\$25,000)
290	Adjust	116	502000	Jail Management	Fringe Benefits			\$21,631,684		\$19,631,684	(\$2,000,000)	(\$2,000,000)
290	Adjust	116	516020	Jail Management	Professional Svcs Contracts & Fees			\$688,450		\$213,450	(\$475,000)	(\$475,000)
307	Delete	16500	1650050	Central Police Services - E-911 Fund	Dispatcher (Sheriff)	7	14	\$507,537	0	\$0	(\$507,537)	(\$507,537)
307	Delete	16500	1650050	Central Police Services - E-911 Fund	Dispatcher (Sheriff) 55A	7	2	\$75,881	0	\$0	(\$75,881)	(\$75,881)
308	Adjust	16500	500000	Central Police Services - E-911 Fund	Full Time - Salaries			\$2,072,536		\$1,489,118	(\$583,418)	(\$583,418)
308	Adjust	16500	500300	Central Police Services - E-911 Fund	Shift Differential			\$44,500		\$30,000	(\$14,500)	(\$14,500)
308	Delete	16500	500320	Central Police Services - E-911 Fund	Uniform Allowance			\$12,750		\$0	(\$12,750)	(\$12,750)
308	Adjust	16500	500330	Central Police Services - E-911 Fund	Holiday Worked			\$38,650		\$22,000	(\$16,650)	(\$16,650)
308	Delete	16500	500340	Central Police Services - E-911 Fund	Line-up Pay			\$21,500		\$0	(\$21,500)	(\$21,500)
308	Adjust	16500	501000	Central Police Services - E-911 Fund	Overtime			\$270,865		\$185,865	(\$85,000)	(\$85,000)
308	Adjust	16500	502000	Central Police Services - E-911 Fund	Fringe Benefits			\$1,541,313		\$868,679	(\$672,634)	(\$672,634)
308	Adjust	16500	505200	Central Police Services - E-911 Fund	Clothing Supplies			\$7,250		\$3,000	(\$4,250)	(\$4,250)
308	Adjust	16500	506200	Central Police Services - E-911 Fund	Maintenance and Repair			\$21,000		\$17,500	(\$3,500)	(\$3,500)

341	Adjust	16200	502000	Enviroment & Planning	Fringe Benefits			\$570,580		\$520,580	(\$50,000)	(\$50,000)
343	New	1332010	New	Community/Neighborhood Development	Vive la Casa			\$0		\$90,000	\$90,000	\$90,000
376	New	420	504990	Buffalo and Erie County Public Library	Reductions - Personal Services Account			(\$4,940,000)		(\$940,000)	\$4,000,000	
377	Revenue	420	486000	Buffalo and Erie County Public Library	Interfund Revenue Subsidy			\$0		\$4,000,000	\$4,000,000	\$4,000,000
402	Restore	16410	1641010	Parks	Park Superintendent	11	0	\$0	1	\$54,945	\$54,945	\$54,945
406	Adjust	16410	500000	Parks	Full Time - Salaries			\$1,538,468		\$1,593,413	\$54,945	\$54,945
406	Adjust	16410	502000	Parks	Fringe Benefits			\$1,551,525		\$1,579,025	\$27,500	\$27,500
436	Delete	12220	1222010	Buildings and Grounds	Director of Real Estate	22	1	\$129,453	0	\$0	(\$129,453)	(\$129,453)
437	Restore	12220	1222030	Buildings and Grounds	Building Guard	4	0	\$0	3	\$85,722	\$85,722	\$85,722
439	Adjust	12220	500000	Buildings and Grounds	Full Time - Salaries			\$4,956,402		\$4,912,671	(\$43,731)	(\$43,731)
439	Adjust	12220	502000	Buildings and Grounds	Fringe Benefits			\$3,289,044		\$3,268,044	(\$21,000)	(\$21,000)
439	Adjust	12220	516020	Buildings and Grounds	Professional Svcs Contracts & Fees			\$264,759		\$164,759	(\$100,000)	(\$100,000)



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "2"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

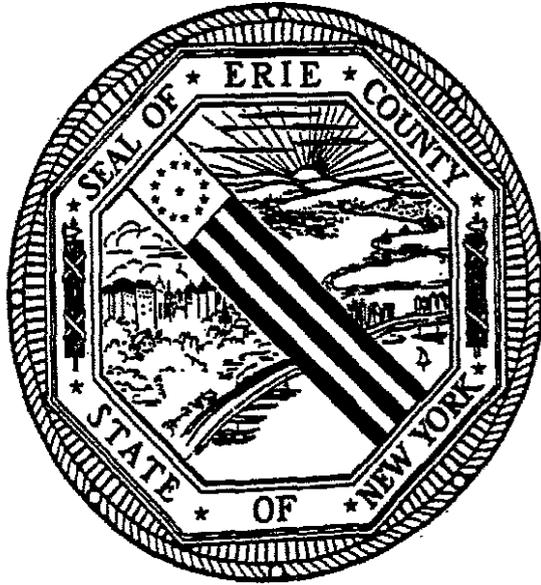
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the African American Cultural Center and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the African American Cultural Center, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for African American Cultural Center as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518004	Cultural Agencies	African American Cultural Center			\$0		\$132,411	\$132,411	\$132,411



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "3"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

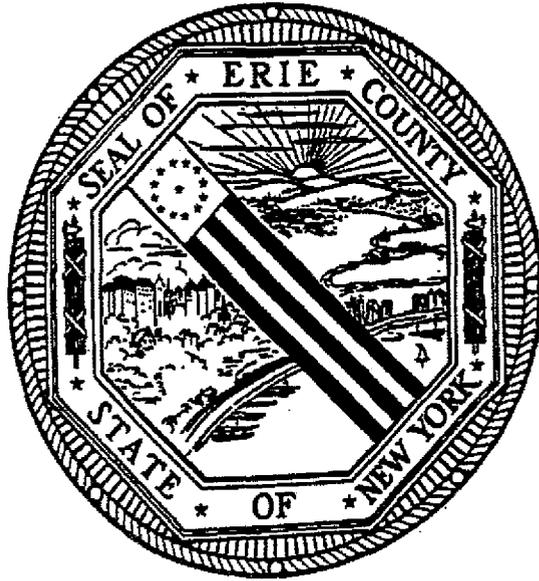
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Albright Knox Art Gallery; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Albright Knox Art Gallery, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Albright Knox Art Gallery as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	Adjust	1333020	518008	Cultural Agencies	Albright Knox Art Gallery		\$535,000			\$557,113	\$22,113	\$22,113



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "4"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Alleyway Theatre; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Alleyway Theatre, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Alleyway Theatre as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	S18012	Cultural Agencies	Alleyway Theatre		\$0			\$7,016	\$7,016	\$7,016



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "5"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the American Legion Band of Tonawandas; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the American Legion Band of Tonawandas, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the American Legion Band of Tonawandas as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518016	Cultural Agencies	American Legion Band of Tonawandas			\$0		\$4,677	\$4,677	\$4,677



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "6"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

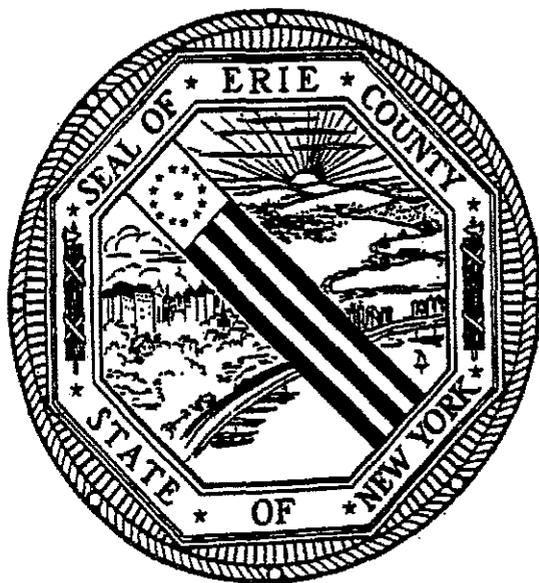
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Arts Council of Buffalo and Erie County; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Arts Council of Buffalo and Erie County, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Arts Council of Buffalo and Erie County as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518020	Cultural Agencies	Arts Council in Buffalo and Erie County			\$0		\$12,000	\$12,000	\$12,000



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "7"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

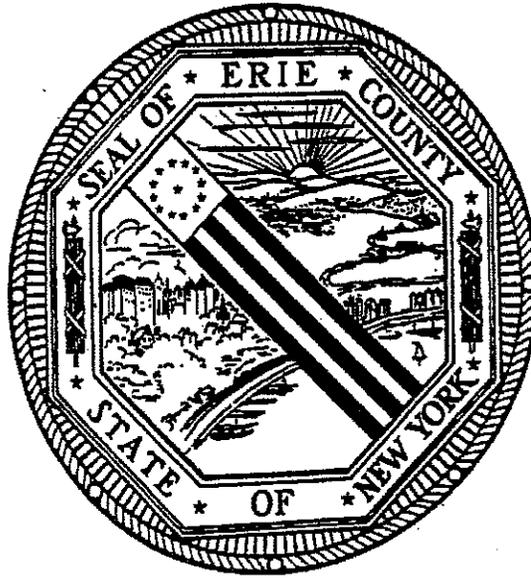
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Arts in Education Institute of WNY; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Arts in Education Institute of WNY, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Arts in Education Institute of WNY as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518024	Cultural Agencies	Arts in Education Institute of WNY		\$0			\$10,000	\$10,000	\$10,000



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "8"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

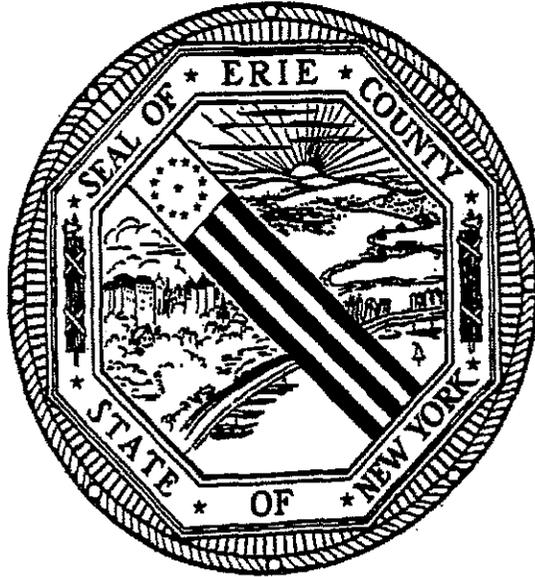
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Ballet Artists of WNY (Neglia); and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Ballet Artists of WNY (Neglia), which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Arts in Education Institute of WNY as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518028	Cultural Agencies	Ballet Artists of WNY (Neglia)			\$0		\$10,523	\$10,523	\$10,523



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "9"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Big Orbit Gallery; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Big Orbit Gallery, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Big Orbit Gallery as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518032	Cultural Agencies	Big Orbit Gallery		\$0			\$17,142	\$17,142	\$17,142



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "10"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Botanical Gardens; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Botanical Gardens, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Botanical Gardens as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518034	Cultural Agencies	Botanical Gardens		\$0			\$122,000	\$122,000	\$122,000



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "11"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

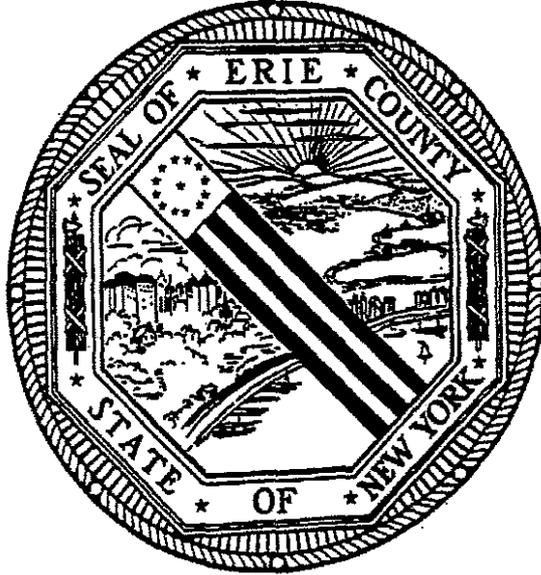
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Buffalo and Erie County Historical Society; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Buffalo and Erie County Historical Society, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Buffalo and Erie County Historical Society as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	Adjust	1333020	518036	Cultural Agencies	Buffalo and Erie County Historical Society			\$385,000		\$404,741	\$19,741	\$19,741



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "12"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

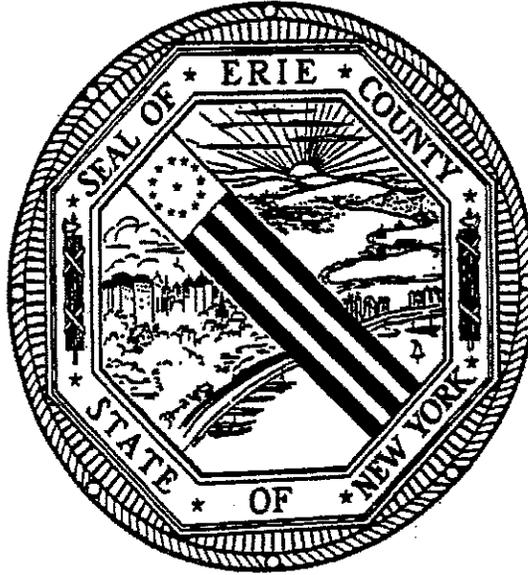
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Buffalo Arts Studio; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Buffalo Arts Studio, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Buffalo Arts Studio as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518040	Cultural Agencies	Buffalo Arts Studio		\$0			\$30,000	\$30,000	\$30,000



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "13"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

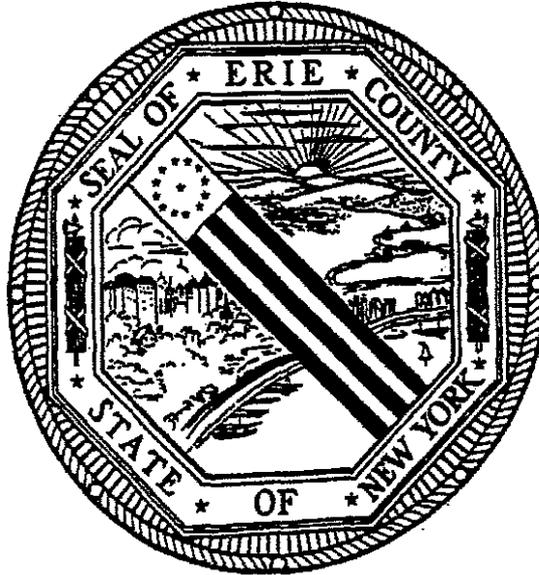
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Buffalo City Ballet; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Buffalo City Ballet, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Buffalo City Ballet as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518044	Cultural Agencies	Buffalo City Ballet			\$0		\$13,096	\$13,096	\$13,096



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "14"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

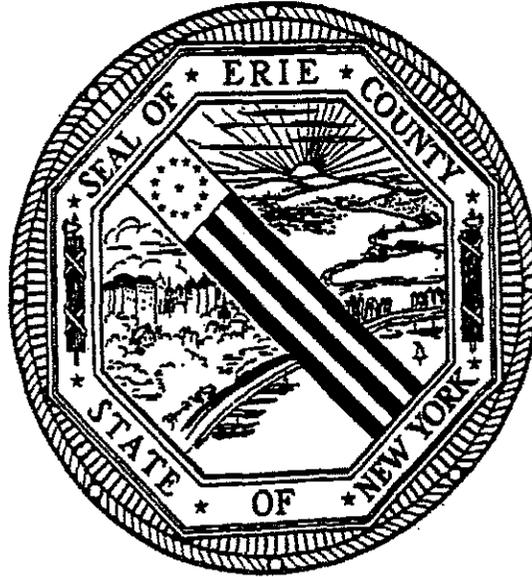
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Buffalo Naval and Serviceman's Park; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Buffalo Naval and Serviceman's Park, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Buffalo Naval and Serviceman's Park as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518052	Cultural Agencies	Buffalo Naval and Servicemans Park		\$0			\$20,000	\$20,000	\$20,000



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "15"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

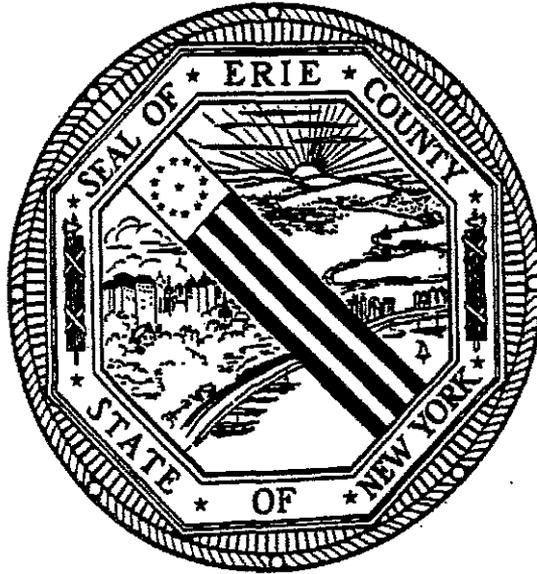
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Buffalo Philharmonic Orchestra Society; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Buffalo Philharmonic Orchestra Society, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Buffalo Philharmonic Orchestra Society as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	Adjust	1333020	518060	Cultural Agencies	Buffalo Philharmonic Orch Society			\$825,000		\$857,098	\$32,098	\$32,098



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "16"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

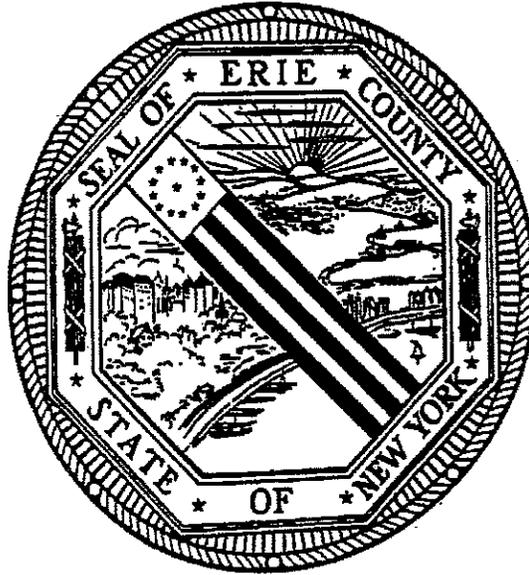
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Buffalo Philharmonic Chorus; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Buffalo Philharmonic Chorus, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Buffalo Philharmonic Chorus as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518061	Cultural Agencies	Buffalo Philharmonic Chorus			\$0		\$25,000	\$25,000	\$25,000



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "17"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Buffalo Society Natural Sciences; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Buffalo Society Natural Sciences, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Buffalo Society Natural Sciences as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	Adjust	1333020	518064	Cultural Agencies	Buffalo Society Natural Sciences			\$905,000		\$942,807	\$37,807	\$37,807



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "18"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

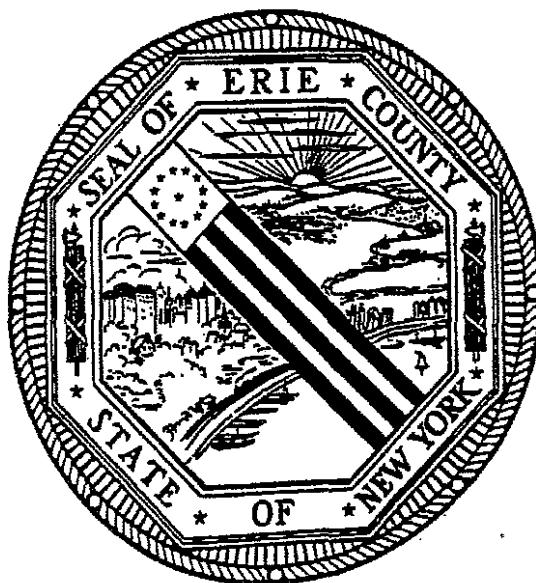
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Burchfield Penney; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Burchfield Penney, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Burchfield Penney as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	Adjust	1333020	518068	Cultural Agencies	Burchfield Penney			\$92,000		\$95,233	\$3,233	\$3,233



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "19"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the CEPA; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the CEPA, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the CEPA as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518072	Cultural Agencies	CEPA			\$0		\$47,140	\$47,140	\$47,140



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "20"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

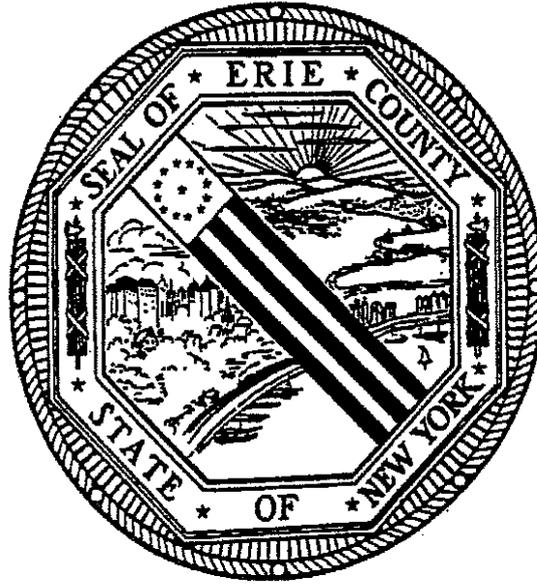
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Community Music School of Buffalo; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Community Music School of Buffalo, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Community Music School of Buffalo as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518076	Cultural Agencies	Community Music School of Buffalo			\$0		\$2,432	\$2,432	\$2,432



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "21"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

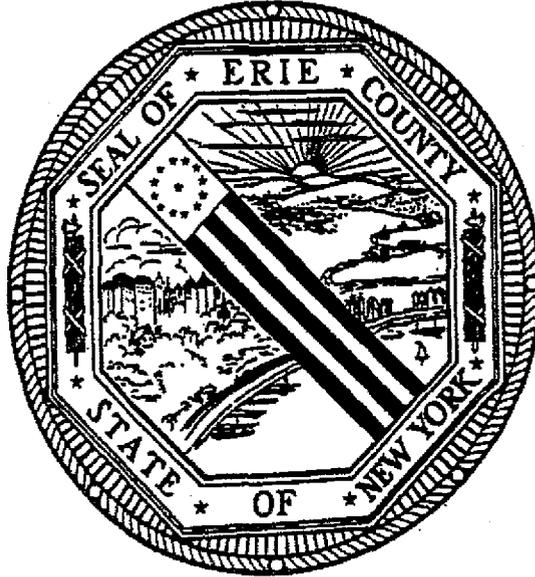
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the El Mueso Gallery; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the El Mueso Gallery, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the El Mueso Gallery as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518084	Cultural Agencies	El Mueso Gallery		\$0			\$6,548	\$6,548	\$6,548



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "22"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Explore and More; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Explore and More, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Explore and More as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518096	Cultural Agencies	Explore and More		\$0			\$23,808	\$23,808	\$23,808



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "23"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

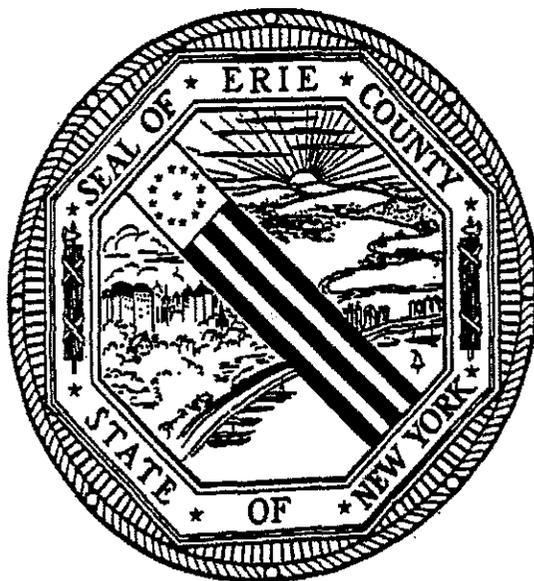
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Folkloric Dance; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Folkloric Dance, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Folkloric Dance as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518100	Cultural Agencies	Folkloric Dance		\$0			\$1,871	\$1,871	\$1,871



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "24"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

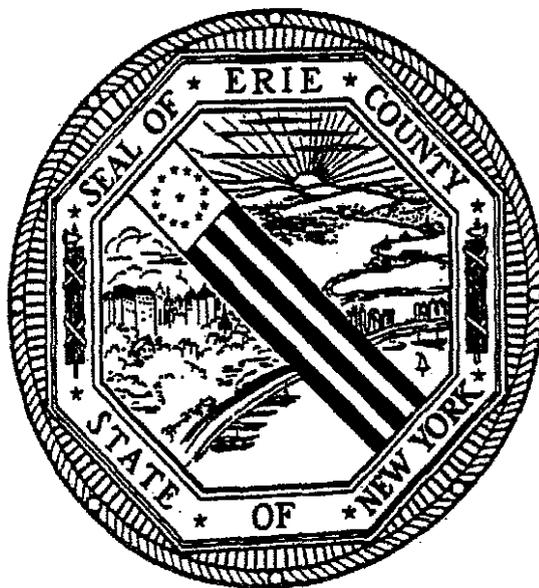
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Graycliff; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Graycliff, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Graycliff as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	Adjust	1333020	518104	Cultural Agencies	Graycliff			\$32,000		\$33,324	\$1,324	\$1,324



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "25"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

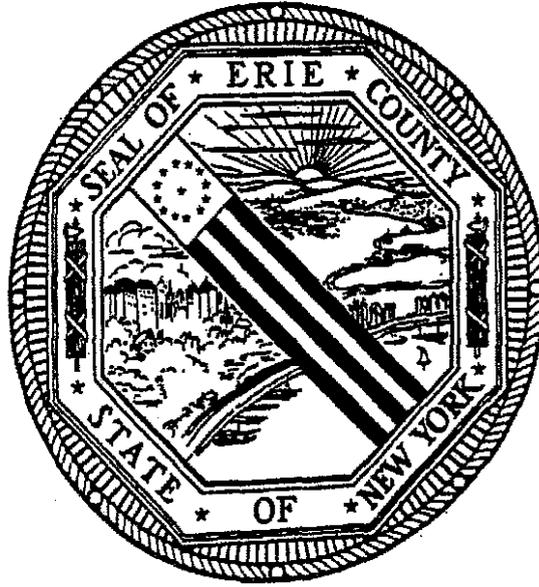
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Hallwalls; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Hallwalls, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Hallwalls as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518108	Cultural Agencies	Hallwalls		\$0			\$51,426	\$51,426	\$51,426



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "26"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

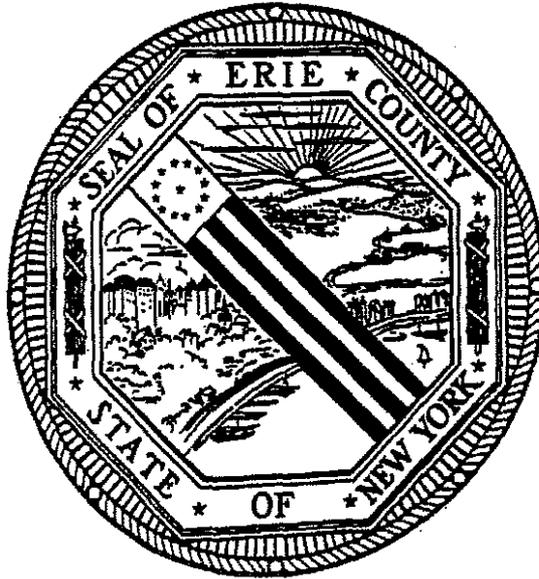
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Hamburg Natural History Society/Penn-Dixie; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Hamburg Natural History Society/Penn-Dixie, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Hamburg Natural History Society/Penn-Dixie as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	Adjust	1333020	518112	Cultural Agencies	Hamburg Natl Hist Society/ Penn-Dixie			\$41,000		\$42,855	\$1,855	\$1,855



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "27"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

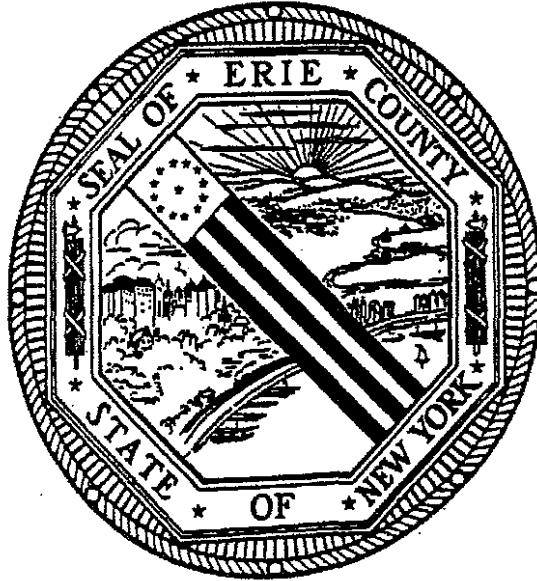
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Irish Classical Theatre; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Irish Classical Theatre, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Irish Classical Theatre as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518116	Cultural Agencies	Irish Classical Theatre			\$0		\$73,710	\$73,710	\$73,710



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "28"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

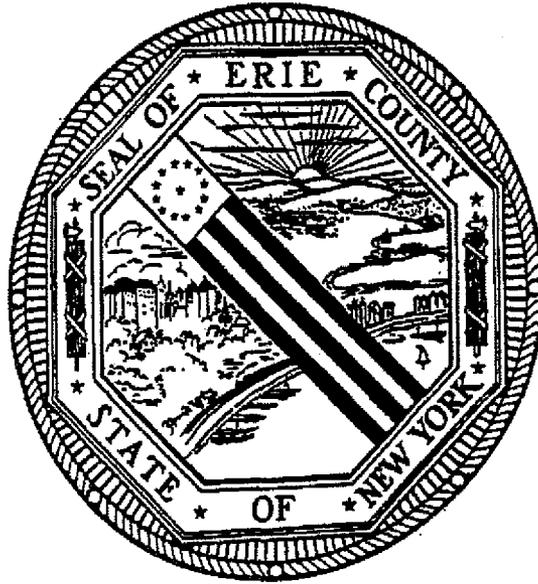
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, Just Buffalo; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for Just Buffalo, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Just Buffalo as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518120	Cultural Agencies	Just Buffalo		\$0			\$51,426	\$51,426	\$51,426



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "29"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

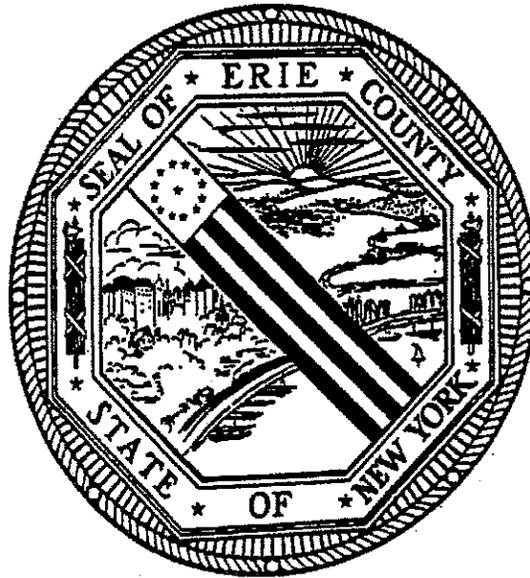
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Kavinoky Theater; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Kavinoky Theater, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Kavinoky Theater as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518124	Cultural Agencies	Kavinoky Theater			\$0		\$10,523	\$10,523	\$10,523



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "30"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

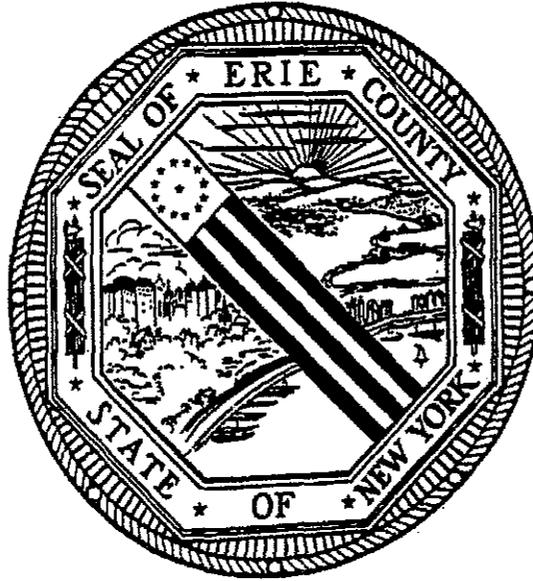
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Lancaster Opera House; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Lancaster Opera House, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Lancaster Opera House as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518128	Cultural Agencies	Lancaster Opera House			\$0		\$11,225	\$11,225	\$11,225



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "31"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

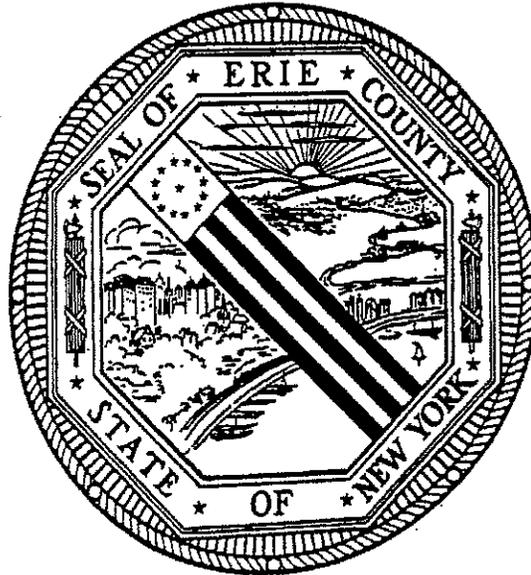
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, Locust Street Art Classes; and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for Locust Street Art Classes, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for Locust Street Art Classes as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518132	Cultural Agencies	Locust Street Art Classes		\$0		\$10,523	\$10,523	\$10,523	\$10,523



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "32"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

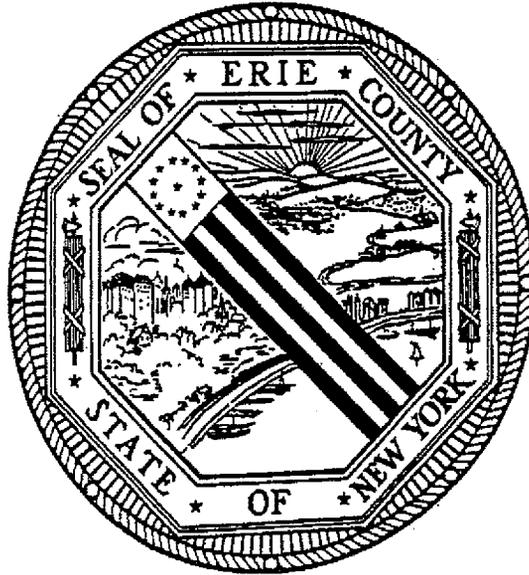
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Martin House Restoration Corporation, and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Martin House Restoration Corporation, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Martin House Restoration Corporation as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	Adjust	1333020	518136	Cultural Agencies	Martin House Restoration			\$140,000		\$142,850	\$2,850	\$2,850



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "33"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

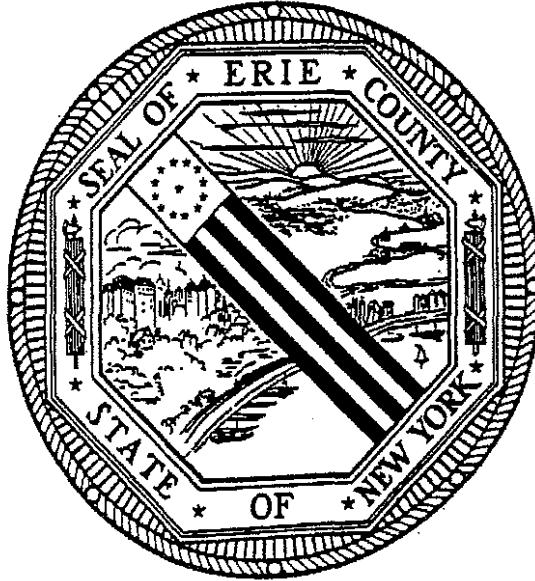
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, Music is Art, and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for Music is Art, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for Music is Art as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518139	Cultural Agencies	Music is Art		\$0			\$45,000	\$45,000	\$45,000



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "34"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

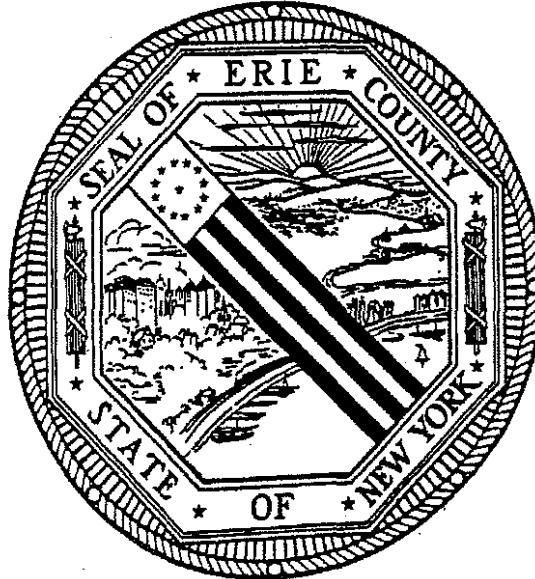
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, Musicalfare Theatre, and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for Musicalfare Theatre, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for Musicalfare Theatre as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518140	Cultural Agencies	Musicalfare Theatre		\$0			\$33,332	\$33,332	\$33,332



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "35"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

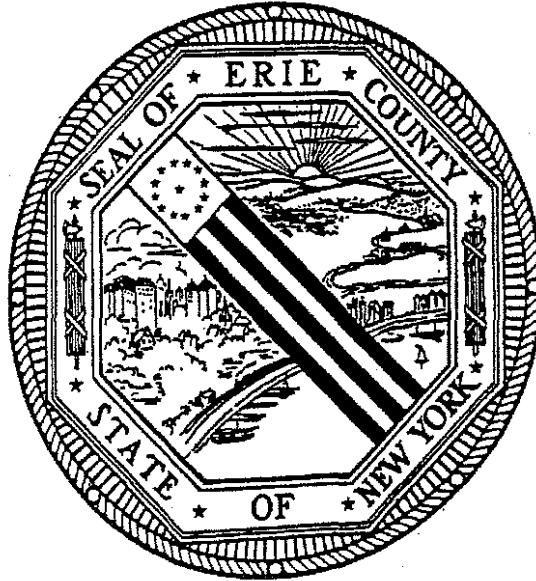
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the New Phoenix Theatre, and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the New Phoenix Theatre, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the New Phoenix Theatre as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518141	Cultural Agencies	New Phoenix Theatre			\$0		\$25,000	\$25,000	\$25,000



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "36"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

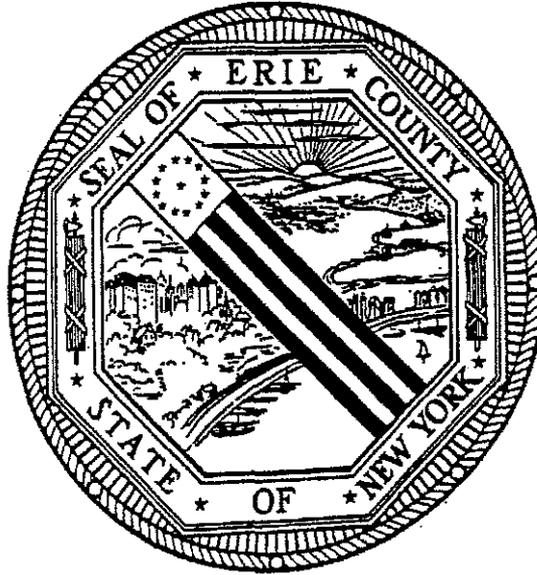
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Pierce Arrow Museum, and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Pierce Arrow Museum, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Pierce Arrow Museum as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518144	Cultural Agencies	Pierce Arrow Museum			\$0		\$4,677	\$4,677	\$4,677



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "37"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

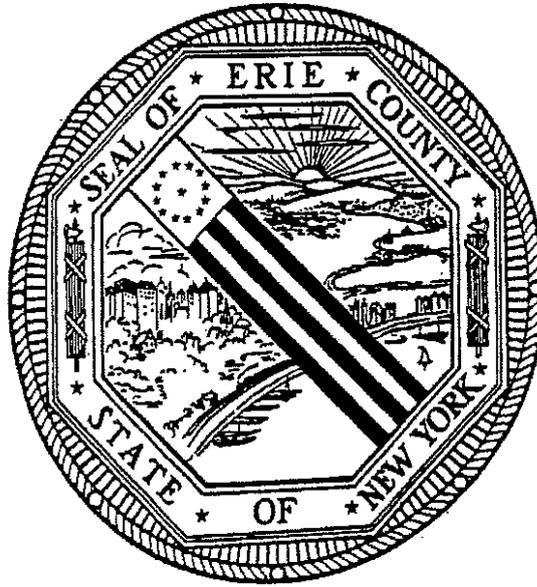
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Polish Arts Club of Buffalo Inc., and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Polish Arts Club of Buffalo Inc., which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Polish Arts Club of Buffalo Inc. as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518146	Cultural Agencies	Polish Arts Club of Buffalo Inc			\$0		\$8,000	\$8,000	\$8,000



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "38"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, Road Less Traveled Productions, and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for Road Less Traveled Productions, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for Road Less Traveled Productions as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518148	Cultural Agencies	Road Less Traveled Productions		\$0			\$4,750	\$4,750	\$4,750



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "39"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

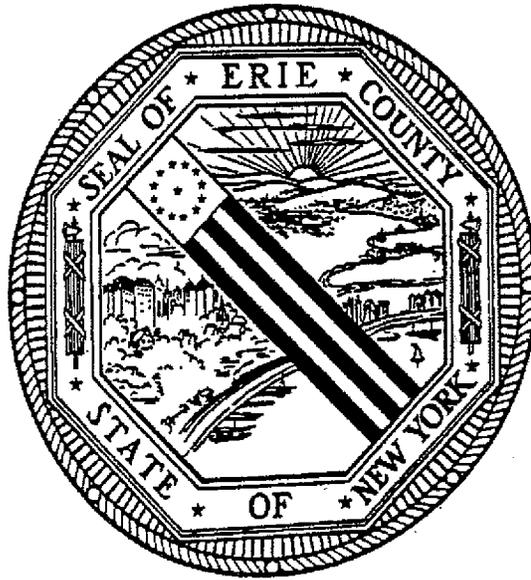
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, Roycroft Campus Corporation, and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for Roycroft Campus Corporation, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for Roycroft Campus Corporation as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518152	Cultural Agencies	Roycroft Campus Corporation			\$0		\$9,677	\$9,677	\$9,677



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "40"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

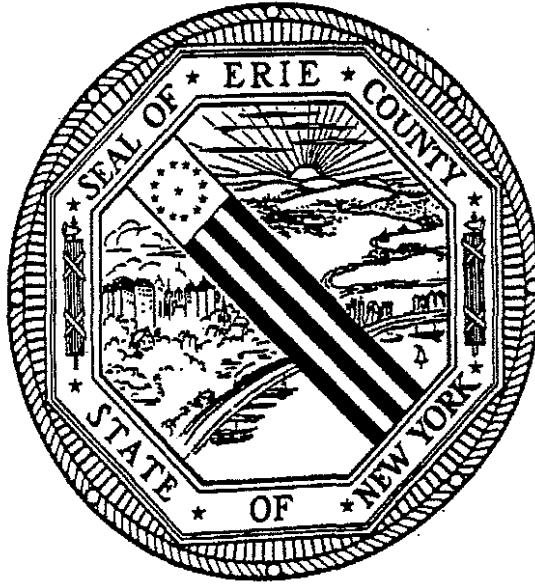
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, Shakespeare in the Park, and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for Shakespeare in the Park, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for Shakespeare in the Park as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518156	Cultural Agencies	Shakespeare in the Park		\$0			\$85,710	\$85,710	\$85,710



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "41"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

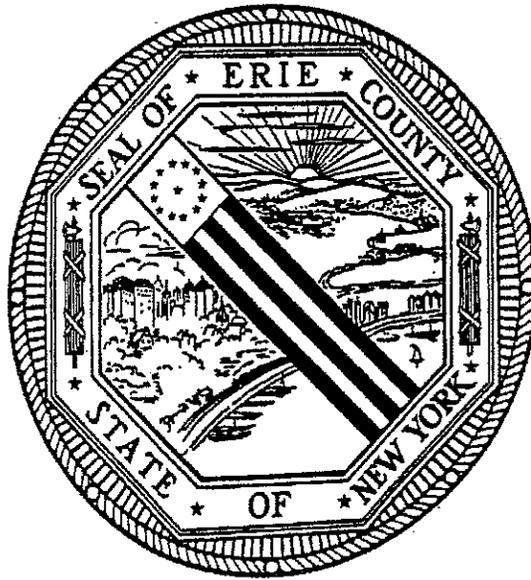
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Springville Center for the Arts, and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Springville Center for the Arts, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Springville Center for the Arts as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518160	Cultural Agencies	Springville Center for the Arts			\$0		\$14,031	\$14,031	\$14,031



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "42"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

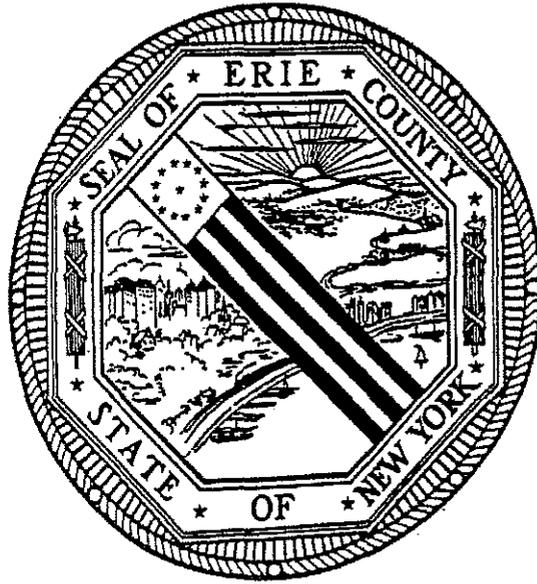
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, Squeaky Wheel, and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for Squeaky Wheel, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for Squeaky Wheel as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518164	Cultural Agencies	Squeaky Wheel		\$0			\$13,714	\$13,714	\$13,714



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "43"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

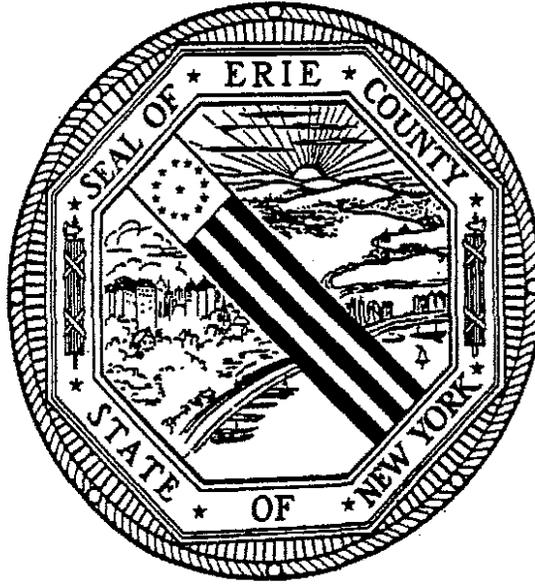
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Theatre of Youth, and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Theatre of Youth, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Theatre of Youth as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518168	Cultural Agencies	Theatre of Youth		\$0			\$51,695	\$51,695	\$51,695



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "44"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

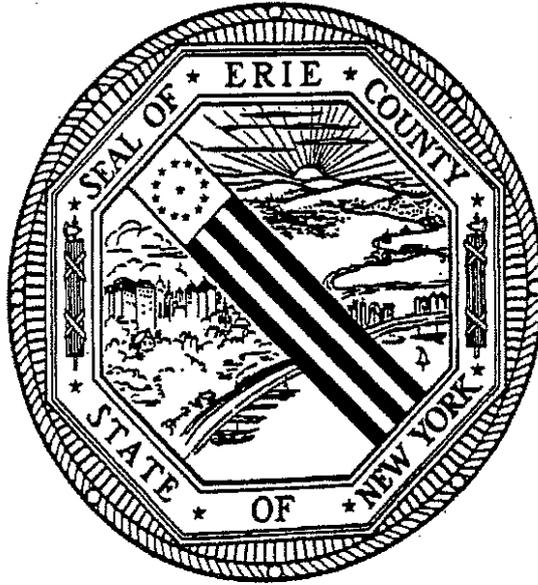
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, the Theodore Roosevelt Inaugural Site, and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for the Theodore Roosevelt Inaugural Site, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for the Theodore Roosevelt Inaugural Site as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	Adjust	1333020	518172	Cultural Agencies	Theodore Roosevelt Inaugural Site			\$21,000		\$21,428	\$428	\$428



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "45"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

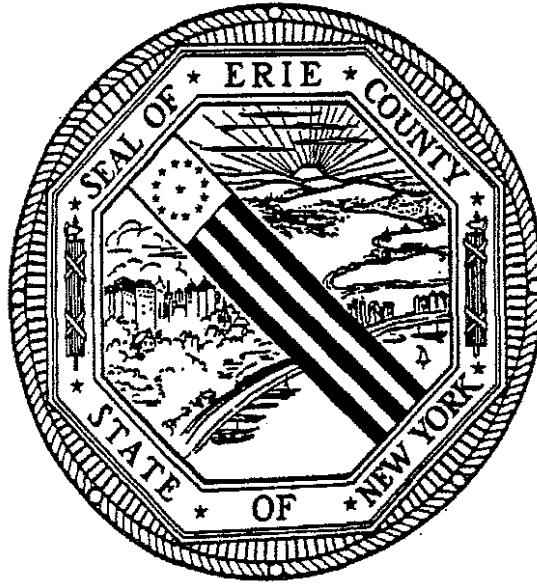
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, Ujima Theatre Company, and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for Ujima Theatre Company, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for Ujima Theatre Company as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518176	Cultural Agencies	Ujima Company			\$0		\$30,000	\$30,000	\$30,000



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "46"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

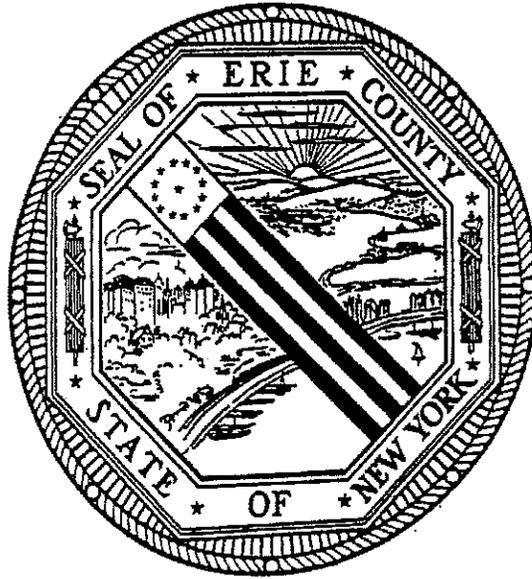
WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, Western New York Artists Group, and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for Western New York Artists Group, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for Western New York Artists Group as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518180	Cultural Agencies	Western New York Artists Group		\$0			\$3,742	\$3,742	\$3,742



ERIE COUNTY LEGISLATURE

2011 ERIE COUNTY BUDGET

DEMOCRATIC CAUCUS

BUDGET AMENDMENT "47"

Book A

Amendment to Comm. 17E-1 (2010)

WHEREAS, the tentative 2011 Erie County Budget was laid on the table by the Erie County Executive on October 1, 2010, and

WHEREAS, this Honorable Body is responsible for acting on the tentative 2011 Budget, and

WHEREAS, following meetings of the Legislature's Finance and Management/Budget Committee with department heads and independent elected officials, and following a public hearing and informational public meetings, this Honorable Body has received significant public and governmental concern and opposition to many of the County Executive's proposed reductions in services and programs in 2011, and

WHEREAS, the public and community has expressed opposition to the County Executive's proposed significant reductions in spending for cultural/arts organizations supported by the County government, including, but not limited to, Young Audiences of WNY and

WHEREAS, the Democratic Caucus has evaluated the tentative 2011 Budget, has previously passed Budget Amendment "1" that reduced the County Executive's reduced appropriation for the risk retention fund as identified by Fund Center 16020, Account Number 555050, in the amount of \$2,000,000, and is now proposing a budget amendment package that allows for the restoration of funding for Young Audiences of WNY, which will not affect the 2011 County or Library real property tax levies nor increase taxes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, in addition to any other amendments it may have heretofore passed, including, but not limited to, a reduction to the amount of appropriation to the risk retention fund as identified by Fund Center 16020, Account Number 555050, does hereby approve the Erie County Executive's tentative 2011 Erie County Budget with the additional amendment attached hereto, which appropriates funds for Young Audiences of WNY as indicated.

Book A Page #	Type of Action	Fund Center	Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Total Change (Decrease) or Increase
344	New	1333020	518184	Cultural Agencies	Young Audiences of WNY		\$0			\$7,016	\$7,016	\$7,016

Fringe Benefit Analysis
Democratic Maj. Amendments

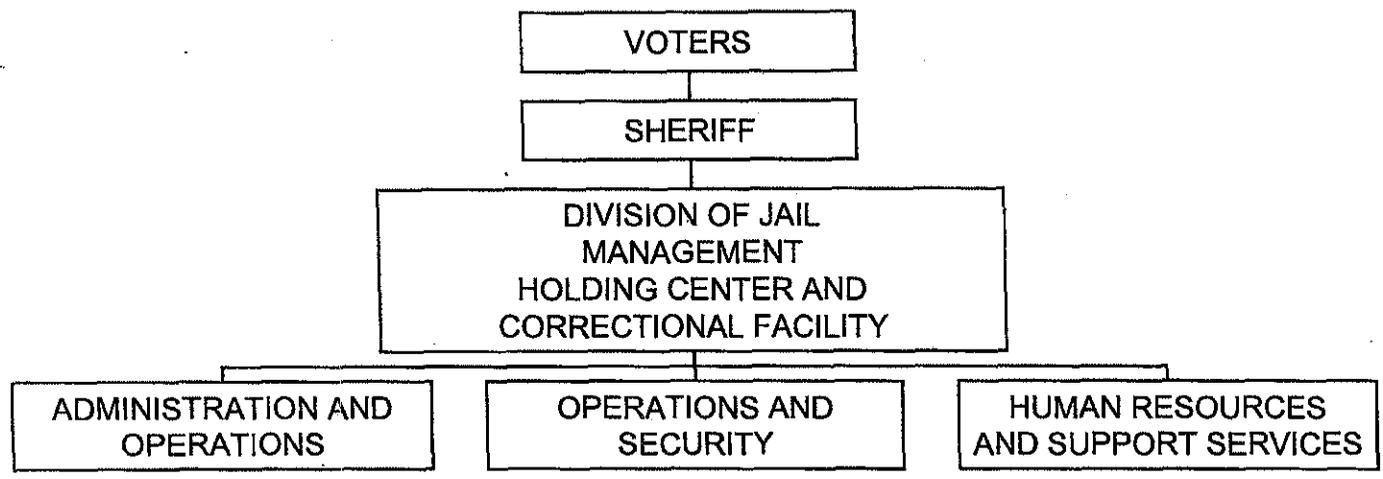
Personnel	DISS	Public Health	Medical Examiner	Persons w/ Special Needs	Sheriff Division	Jail Management	Probation	Environment and Planning	Buildings and Grounds
\$1,153,778.00	\$2,561,584.00	\$3,146,151.00	\$1,729,755.00	\$1,108,560.00	\$7,635,419.00	\$32,712,980.00	\$5,655,492.00	\$987,548.00	\$4,958,402.00
\$1,153,778.00	\$2,561,584.00	\$3,205,283.00	\$1,796,369.00	\$1,108,560.00	\$7,635,419.00	\$32,712,980.00	\$5,757,162.00	\$987,548.00	\$4,912,671.00
\$599,964.56	\$1,332,023.68	\$1,666,747.16	\$934,111.88	\$576,451.20	\$3,970,417.88	\$17,010,749.60	\$2,993,724.24	\$513,524.96	\$2,554,588.92
\$676,454.00	\$1,431,886.00	\$1,890,575.00	\$922,226.00	\$612,085.00	\$4,927,496.00	\$19,631,684.00	\$3,330,153.00	\$520,580.00	\$3,268,044.00
\$76,489.44	\$99,862.32	\$223,827.84	-\$11,885.88	\$35,633.80	\$957,078.12	\$2,620,934.40	\$336,428.76	\$7,055.04	\$713,455.08
\$1,153,778.00	\$2,561,584.00	\$3,146,151.00	\$1,729,755.00	\$1,108,560.00	\$7,635,419.00	\$32,712,980.00	\$5,655,492.00	\$987,548.00	\$4,958,402.00
\$701,454.00	\$1,531,886.00	\$2,010,575.00	\$1,042,226.00	\$662,085.00	\$5,127,496.00	\$21,631,684.00	\$3,479,318.00	\$570,580.00	\$3,289,044.00
60.80%	59.80%	63.91%	60.25%	59.72%	67.15%	66.13%	61.52%	57.78%	66.33%
\$1,388,004.00	\$3,151,345.00	\$3,893,627.00	\$1,392,330.00	\$1,430,475.00	\$9,203,211.00	\$33,351,785.00	\$6,332,330.00	\$1,053,115.00	\$5,674,436.00
\$667,907.00	\$1,679,260.00	\$2,150,748.00	\$760,888.00	\$700,933.00	\$5,862,765.00	\$22,386,574.00	\$3,422,899.00	\$546,533.00	\$3,776,127.00
48.12%	53.29%	55.24%	54.65%	49.00%	63.70%	67.12%	54.05%	51.90%	66.55%
\$1,387,253.00	\$2,784,972.00	\$3,826,872.00	\$1,372,859.00	\$1,378,166.00	\$9,987,790.00	\$32,156,444.00	\$5,830,673.00	\$1,057,491.00	\$5,300,356.00
\$531,437.00	\$1,163,836.00	\$1,746,072.00	\$554,945.00	\$582,109.00	\$5,441,572.00	\$16,266,487.00	\$2,354,581.00	\$411,941.00	\$3,211,809.00
38.31%	41.79%	45.63%	40.42%	42.24%	54.48%	50.59%	40.38%	38.95%	60.60%
24	46	68	30	27	209	824	107	14	128
24	46	68	30	27	163	701	107	14	128
24	46	70	32	27	163	701	110	14	131
\$1,153,778.00	\$2,561,584.00	\$3,205,283.00	\$1,796,369.00	\$1,108,560.00	\$7,635,419.00	\$32,712,980.00	\$5,757,162.00	\$987,548.00	\$4,912,671.00
\$676,454.00	\$1,431,886.00	\$1,890,575.00	\$922,226.00	\$612,085.00	\$4,927,496.00	\$19,631,684.00	\$3,330,153.00	\$520,580.00	\$3,268,044.00
58.63%	55.90%	58.98%	51.34%	55.21%	64.53%	60.01%	57.84%	52.71%	66.52%
benefits based on the testimony of the Budget Director Greg Gach at the Mid-Year and 2011 Budget Hearings									

Account #	Department	Description/Name	Job Group	Number of Positions County Exec Rec	Proposed 2011 Budget	Number of Positions Allocated Legislature	2011 Legislature Allocated	Amount Changed (Decrease) or Increase	Notes	Department Request for 2011	Difference
1011010	County Executive	Deputy County Executive	58	1	\$114,109	1	\$107,397	(\$6,712)	decrease in salary	\$114,109.00	\$6,712.00
500000	County Executive	Full Time - Salaries			\$549,983		\$543,271	(\$6,712)	corresponds to above	\$549,983.00	\$6,712.00
1111010	Real Property Tax	Chief Data Tax Clerk	12	1	\$59,268	1	\$47,741	(\$11,527)	decrease in salary	\$59,268.00	\$11,527.00
500000	Real Property Tax	Full Time - Salaries			\$442,157		\$430,630	(\$11,527)	corresponds to above	\$442,157.00	\$11,527.00
1601010	County Attorney	County Attorney	60	1	\$149,831	0	\$0	(\$149,831)	new salary for position below	\$149,831.00	\$149,831.00
1601010	County Attorney	County Attorney	21	0	\$0	1	\$99,226	\$99,226	current position retained	\$0.00	(\$99,226.00)
1601010	County Attorney	First Assistant County Attorney	19	1	\$111,101	1	\$95,356	(\$15,745)	decrease in salary	\$111,101.00	\$15,745.00
1601010	County Attorney	Second Assistant County Attorney	18	1	\$89,731	1	\$77,723	(\$12,008)	decrease in salary	\$89,731.00	\$12,008.00
500000	County Attorney	Full Time - Salaries			\$1,210,634		\$1,132,276	(\$78,358)	corresponding to positions above	\$1,210,634.00	\$78,358.00
516020	County Attorney	Professional Svcs Contracts & Fees			\$395,000		\$245,000	(\$150,000)	decrease in line	\$395,000.00	\$150,000.00
555050	Risk Retention	Insurance Premiums			\$3,000,000		\$1,000,000	(\$2,000,000)	This account rolls over year to year, as of 10/25/10 there is a balance in account of \$5,546,323.00. Average actuals over last 3 years (using ytd in 2010) is \$2.69 Million/year	\$3,000,000.00	\$2,000,000.00
502050	Worker's Compensation	Worker's Compensation			\$13,008,100		\$12,008,100	(\$1,000,000)	Average actuals for this account for the last 3 years (using ytd in 2010) are \$10.6 Million/year	\$13,008,100.00	\$1,000,000.00
502000	Personnel	Fringe Benefits			\$701,454		\$676,454	(\$25,000)	At 52% of FT Salaries \$600K is required in this department	\$701,454.00	\$25,000.00
516020	Labor Relations	Professional Svcs Contracts & Fees			\$17,083		\$7,083	(\$10,000)	policy decision	\$17,083.00	\$10,000.00
502000	Information and Support Services	Fringe Benefits			\$1,531,886		\$1,431,886	(\$100,000)	At 52% of FT Salaries cost \$1.3 Million is required in this department	\$1,531,886.00	\$100,000.00
545000	Information and Support Services	Rental Charges			\$1,235,000		\$1,065,000	(\$170,000)	policy decision	\$1,235,000.00	\$170,000.00
520000	Countywide Budget Accounts	Municipal Association Fees			\$30,000		\$0	(\$30,000)	policy decision	\$30,000.00	\$30,000.00

1202020	Social Services	Assistant Commissioner-Administration	16	1	\$66,980	0	\$0	(\$66,980)	position deleted	\$66,980.00	\$66,980.00
500000	Social Services	Full Time - Salaries			\$61,240,914		\$61,173,934	(\$66,980)	associated with above position	\$61,240,914.00	\$66,980.00
516020	Youth Detention	Professional Svcs Contracts & Fees			\$2,960,000		\$2,360,000	(\$600,000)	policy decision	\$2,960,000.00	\$600,000.00
1242010	Forensic Mental Health Services	Coordinator Adult Single Pt of Acc & Account	13	1	\$52,548	0	\$0	(\$52,548)	new salary for position below	\$52,248.00	\$52,248.00
1242010	Forensic Mental Health Services	Coordinator of Adult Recovery	12	0	\$0	1	\$47,740	\$47,740	associated with position above	\$0.00	(\$47,740.00)
500000	Forensic Mental Health Services	Full Time - Salaries			\$1,115,085		\$1,110,277	(\$4,808)	associated with position above	\$1,115,085.00	\$4,808.00
516020	Forensic Mental Health Services	Professional Svcs Contracts & Fees			\$144,540		\$114,540	(\$30,000)	policy decision	\$144,540.00	\$30,000.00
1271510	Health Division	Special Assistant Commissioner of Health	10	1	\$42,713	0	\$0	(\$42,713)	position deleted	\$42,713.00	\$42,713.00
501000	Health Division	Overtime			\$400,000		\$200,000	(\$200,000)	policy decision	\$400,000.00	\$200,000.00
502000	Public Health Lab	Fringe Benefits			\$2,010,575		\$1,890,575	(\$120,000)	At 52% of FT Salaries \$1.66 is required in this department	\$2,588,709.00	\$698,134.00
516020	Public Health Lab	Professional Svcs Contracts & Fees			\$231,875		\$206,875	(\$25,000)	policy decision	\$1,045,008.00	\$838,133.00
502000	Medical Examiner	Fringe Benefits			\$1,042,226		\$922,226	(\$120,000)	At 52% of FT Salaries \$934K is required in this department	\$1,042,226.00	\$120,000.00
516020	Medical Examiner	Professional Svcs Contracts & Fees			\$298,250		\$248,250	(\$50,000)	policy decision	\$298,250.00	\$50,000.00
502000	Persons with Special Needs	Fringe Benefits			\$662,085		\$612,085	(\$50,000)	At 52% of FT Salaries \$577K is required in this department	\$662,085.00	\$50,000.00
516020	Persons with Special Needs	Professional Svcs Contracts & Fees			\$90,000		\$60,000	(\$30,000)	policy decision	\$90,000.00	\$30,000.00
502000	Sheriff Division	Fringe Benefits			\$5,127,496		\$4,927,496	(\$200,000)	At 52% of FT Salaries \$4 million is required in this department	\$4,900,610.00	(\$26,886.00)
500320	Jail Management	Uniform Allowance			\$521,500		\$496,500	(\$25,000)	policy decision	\$580,500.00	\$84,000.00

502000	Jail Management	Fringe Benefits			\$21,631,684		\$19,631,684	(\$2,000,000)	At 52% of FT Salaries \$17M is required in this department	\$19,692,112.00	\$60,428.00
516020	Jail Management	Professional Svcs Contracts & Fees			\$688,450		\$213,450	(\$475,000)	policy decision	\$688,450.00	\$475,000.00
502000	Probation	Fringe Benefits			\$3,479,318		\$3,330,153	(\$149,165)	At 52% of FT Salaries \$2.99 million is required in this department	\$3,479,318.00	\$149,165.00
502000	Environment & Planning	Fringe Benefits			\$570,580		\$520,580	(\$50,000)	At 52% of FT Salaries \$514K is required in this department	\$570,580.00	\$50,000.00
1222010	Buildings and Grounds	Director of Real Estate	22	1	\$129,453	0	\$0	(\$129,453)	deleted position	\$129,453.00	\$129,453.00
500000	Buildings and Grounds	Full Time - Salaries			\$4,956,402		\$4,912,671	(\$43,731)	corresponds to the above position	\$4,956,402.00	\$43,731.00
502000	Buildings and Grounds	Fringe Benefits			\$3,289,044		\$3,268,044	(\$21,000)	At 52% of FT Salaries \$2.55 Million is required in this department	\$3,289,044.00	\$21,000.00
516020	Buildings and Grounds	Professional Svcs Contracts & Fees			\$264,759		\$164,759	(\$100,000)	policy decision	\$264,759.00	\$100,000.00

SHERIFF – DIVISION OF JAIL MANAGEMENT



JAIL MANAGEMENT	2005 Actual	2006 Actual	2007 Adopted	2007 Adjusted	2008 Proposed
Personal Services	65,129,429	68,382,125	51,145,215	63,374,291	44,990,854
Other	<u>4,210,482</u>	<u>4,948,709</u>	<u>5,410,209</u>	<u>5,441,668</u>	<u>5,646,584</u>
Total Appropriation	69,339,911	73,330,834	56,555,424	68,815,959	50,637,438
Revenue	<u>14,958,056</u>	<u>15,619,157</u>	<u>14,692,292</u>	<u>7,729,097</u>	<u>4,657,104</u>
County Share	54,381,855	57,711,677	41,863,132	61,086,862	45,980,334

DESCRIPTION

The Jail Management Division operates the Erie County Holding Center and the Erie County Correctional Facility. The Jail Management Division has a maximum cell capacity of 1,623. For 2005, the average daily population was 1,479.

The Erie County Holding Center processes all persons held while their criminal proceedings take place. The downtown Holding Center books more than 20,000 new admissions a year. The Holding Center has a maximum bed/cell capacity of 614.

The downtown Holding Center consists of two main sections. One side, built in the 1930's, is a linear cell block with the traditional cell block design. The other section, built in 1985, is a podular design consisting of four floors of podular housing units and gymnasium. In addition to housing new Erie County arrestees, the Holding Center is under contract with the Federal Government to hold federal prisoners. State prisoners and parole violators are also held at the Holding Center. The Holding Center provides educational, medical, library, recreational, commissary and religious services for those committed to the institution. As part of the regular business of the Holding Center, deputies transport approximately 96,000 inmates to court appearances per year.

The Correctional Facility, located in Alden, New York, was merged with the Sheriff's Office in 2001. This merger combined and consolidated the assets of the Correctional Facility with those of the Holding Center creating one jail management system for Erie County. The Correctional Facility, built in 1985, is located on approximately 90 acres of rural farmland. The Correctional Facility is entirely a "New Generation Jail" consisting of many podular and dormitory style-housing units. This facility now has a rated capacity of 794 beds/cells with an additional 215 beds/cells available for use through a variance from the NYS Commission of Corrections bringing the maximum capacity for the Correctional Facility to 1,009.

The Correctional Facility holds inmates serving terms of commitment for one year or less and parole violators. Sections of the Correctional Facility are also used to supplement Holding Center space to hold persons awaiting criminal proceedings.

The Correctional Facility offers medical, religious, recreational, and educational and library services to the inmates. Additionally, the Correctional Facility operates a horticulture program designed to produce flowers for use in county parklands. In 2002 over 950 flats of flowers were produced. Also, the Correctional Facility operates the Service Action Corps. Through this program, work crews provide supplemental labor for work in the county parks and on the highways.

Revenues are received for jail services provided to some New York State parole violators. Per diem rates established by the state determine the charges billed for the number of prisoner-days provided. Federal and State aid is received to provide lunches to eligible inmates under the school food program.

MISSION STATEMENT

To provide for the public safety by maintaining a safe and secure holding center and correctional facility for the confinement of incarcerated persons in accordance with federal, state and local laws and ordinances.

PROGRAM AND SERVICE OBJECTIVES

INMATE SECURITY

- To provide effective cell block and facility security to the Correctional Facility, Holding Center and Erie County Medical Center lock-up to assure the safety and security of all inmates, visitors and staff.

INMATE SERVICES

- To comply with the standards set forth by the Commission of Corrections, including the provision of three nutritionally balanced meals, medical services, recreation, religious services, visitation, commissary services, and access to the law library.

INMATE PROGRAMS

- To provide educational and rehabilitation programs for inmates. These programs include preparing and administering GED testing, reading, horticulture, kitchen, work projects, and other programs that

help with the maintenance of the Facility's physical plant and grounds.

- To provide counseling programs that assist the offender in returning to society, including Alcoholics Anonymous, HIPP (Drug) and educational counseling.
- To provide opportunity to improve the offender's ability to be successful in employment after incarceration.

COURT SECURITY

- To effectively administer and coordinate court security in all city and County courts and in State Supreme Court as prescribed by state contract with the State unified court system.

TOP PRIORITIES FOR 2008

- Create opportunities for inmates to contribute to society through work projects that provide a measurable benefit to the citizens of Erie County.
- Provide new forms of training for inmates that will provide them with an employable skill upon release.
- To provide inmates with institutional services that will allow them to search and apply for employment while incarcerated and find educational opportunities for post release assistance.

KEY WORKLOAD ACTIVITIES

	Actual 2006	Estimated 2007	Estimated 2008
<u>HOLDING CENTER</u>			
INMATE SECURITY			
Inmates admitted to facility	21,454	22,000	22,000
Average number of inmates per day - Holding Center	562	600	600
INMATE SERVICES			
Inmates provided medical treatment	22,581	23,000	23,000
Inmates sent to ECOMC for treatment	1,407	1,500	1,500
Number of religious services held	144	150	150
<u>CORRECTIONAL FACILITY</u>			
INMATE SECURITY			
Average daily population	917	925	925
Parole Violators	85	75	75
Inmates processed per year	7,053	8,000	8,000
Parole Violators	387	385	385
INMATE SERVICES			
Medical/Dental Exams	11,800	14,000	18,000

	Actual 2006	Estimated 2007	Estimated 2008
INMATE PROGRAMS			
Annual number of inmates that participated in religious programs	4,726	5,000	5,000

OUTCOME MEASURES

Service Action Corps			
• Number of inmate hours logged			18,900
Institutional Employment			
• Number of inmates employed on a per day basis:			214
Rehabilitation Initiatives			
• Percentage of inmates successfully completing the HIIP program:			80%
• Percentage of inmates successfully completing the GED Exam:			85%
Community Involvement			
• Number of community groups providing inmates with religious programs:			10
• Number of community groups providing inmates with human services:			10

RECOMMENDED BUDGET POSITIONS

NO.	TITLE	J.G.
3	FIRST DEPUTY SUPERINTENDENT-SHERIFF	XV
2	CHIEF OF OPERATIONS (SHERIFF)	XIII
1	CORRECTION CAPTAIN	XII
1	CAPTAIN-OFFICER	XI
8	CORRECTION LIEUTENANT	XI
8	CORRECTION SERGEANT	X
6	LIEUTENANT-OFFICER	X
1	ADMINISTRATIVE ASSISTANT (SHERIFF)	IX
1	COOK-MANAGER (HOLDING CENTER)	IX
187	CORRECTION OFFICER	IX
3	CORRECTION OFFICER (SPANISH SPEAKING)	IX
2	IDENTIFICATION OFFICER	IX
1	SENIOR CORR FACILITY MEDICAL AIDE	IX
1	SERGEANT	IX
16	SERGEANT-OFFICER	IX
1	ASSISTANT FOOD SERVICE MANAGER	VIII
1	DEPUTY SHERIFF OFFICER	VIII
1	DEPUTY SHERIFF OFFICER (SPANISH SPK)	VIII
22	DEPUTY SHERIFF-CRIMINAL	VIII
319	DEPUTY SHERIFF-OFFICER	VIII
1	DEPUTY SHERIFF-OFFICER (55A)	VIII
5	DEPUTY SHERIFF-OFFICER (SPANISH SPK)	VIII
8	REGISTERED NURSE (HOLDING CENTER)	VIII
2	COMMITMENTS CLERK	VII
6	HOLDING CENTER MEDICAL AIDE	VII
1	BUTCHER	VI
7	CORRECTIONAL FACILITY MEDICAL AIDE	VI
7	COURT OFFICER (SHERIFF)	VI
1	SECURITY SERVICES ASSISTANT	VI
1	SENIOR ACCOUNT CLERK	VI
4	COOK	V
1	COOK HOLDING CENTER	V
1	MAINTENANCE WORKER (SHERIFF)	V
13	RECORDS CLERK (HOLDING CENTER)	V
2	RECORDS CLERK (HOLDING CENTER)55A	V

NO.	TITLE	J.G.
1	REPORT TECHNICIAN (SHERIFF) 55A	V
1	SENIOR STORES CLERK	V
1	ACCOUNT CLERK TYPIST (SHERIFF)	IV
3	ASSISTANT COOK-HOLDING CENER	IV
1	DATA ENTRY OPERATOR (SHERIFF)	IV
7	LABORER (SHERIFF)	IV
1	SENIOR MEDICAL SECRETARY	IV
1	SENIOR MEDICAL SECRETARY (SHERIFF)	IV
9	KITCHEN HELPER (HOLDING CENTER)	III
4	RECEPTIONIST	III
674	TOTAL POSITIONS	

2008 Budget Estimate - Summary of Personal Services

Fund Center: 116

Jail Management - Holding Center

	Job Group	Prior Year 2006		Current Year 2007		Ensuing Year 2008				Remarks
		No:	Salary	No:	Salary	No:	Dept-Req	No:	Exec-Rec	
Cost Center 1161010 Administration - Jail Management										
Full-time Positions										
1	FIRST DEPUTY SUPERINTENDENT-SHERIFF	15	3 \$273,354	3	\$273,354	3	\$275,456	3	\$275,456	
2	CHIEF OF OPERATIONS (SHERIFF)	13	2 \$149,531	2	\$130,373	2	\$132,989	2	\$132,989	
3	ADMINISTRATIVE ASSISTANT (SHERIFF)	09	1 \$48,252	1	\$49,323	1	\$49,702	1	\$49,702	
4	DEPUTY SHERIFF OFFICER (SPANISH SPK)	08	2 \$103,405	1	\$51,709	1	\$52,107	1	\$52,107	
5	DEPUTY SHERIFF-OFFICER	08	7 \$353,584	7	\$366,145	7	\$368,962	7	\$368,962	
6	COMMITMENTS CLERK	07	2 \$85,925	2	\$86,838	2	\$87,506	2	\$87,506	
7	CONFIDENTIAL AIDE	06	0 \$0	0	\$0	1	\$29,679	0	\$0	New
8	SECURITY SERVICES ASSISTANT	06	1 \$36,654	1	\$36,654	1	\$36,936	1	\$36,936	
9	SENIOR ACCOUNT CLERK	06	1 \$39,052	1	\$30,318	1	\$30,551	1	\$30,551	
10	SENIOR STORES CLERK	05	1 \$28,228	1	\$29,401	1	\$30,782	1	\$30,782	
11	ACCOUNT CLERK (SHERIFF)	04	1 \$32,092	1	\$30,044	0	\$0	0	\$0	Transfer
12	ACCOUNT CLERK TYPIST (SHERIFF)	04	1 \$32,092	1	\$32,092	1	\$32,339	1	\$32,339	
13	DATA ENTRY OPERATOR (SHERIFF)	04	1 \$31,063	1	\$31,581	1	\$31,824	1	\$31,824	
14	SENIOR MEDICAL SECRETARY	04	1 \$32,517	1	\$26,686	1	\$26,892	1	\$26,892	
15	RECEPTIONIST	03	4 \$118,443	4	\$110,436	4	\$111,286	4	\$111,286	
16	RECEPTIONIST	03	0 \$0	0	\$0	2	\$51,558	0	\$0	New
	Total:	28	\$1,364,192	27	\$1,284,954	29	\$1,348,569	26	\$1,267,332	
Part-time Positions										
1	ACCOUNT CLERK (SHERIFF) PT	04	0 \$0	1	\$12,309	1	\$12,309	1	\$12,309	
	Total:	0	\$0	1	\$12,309	1	\$12,309	1	\$12,309	

2008 Budget Estimate - Summary of Personal Services

Fund Center: 116

Jail Management - Holding Center

	Job Group	Prior Year 2006		Current Year 2007		Ensuing Year 2008				Remarks
		No:	Salary	No:	Salary	No:	Dept-Req	No:	Exec-Rec	

Cost Center 1161020 Security HC

Full-time Positions

1	CAPTAIN-OFFICER	11	1	\$50,340	1	\$68,001	1	\$68,525	1	\$68,525	
2	LIEUTENANT OFFICER	10	0	\$0	0	\$0	1	\$46,267	0	\$0	New
3	LIEUTENANT-OFFICER	10	4	\$247,760	5	\$303,731	5	\$308,593	5	\$308,593	
4	SERGEANT OFFICER	09	0	\$0	0	\$0	12	\$520,344	0	\$0	New
5	SERGEANT-OFFICER	09	12	\$669,936	14	\$723,526	14	\$736,062	14	\$736,062	
6	DEPUTY SHERIFF OFFICER	08	0	\$0	1	\$40,315	1	\$40,625	1	\$40,625	
7	DEPUTY SHERIFF-OFFICER	08	0	\$0	0	\$0	36	\$1,462,500	0	\$0	New
8	DEPUTY SHERIFF-OFFICER	08	249	\$11,702,557	256	\$12,000,286	256	\$12,333,225	256	\$12,333,225	
9	DEPUTY SHERIFF-OFFICER (55A)	08	3	\$127,124	1	\$48,549	1	\$48,923	1	\$48,923	
10	DEPUTY SHERIFF-OFFICER (SPANISH SPK)	08	4	\$200,650	5	\$244,082	5	\$248,029	5	\$248,029	
11	RECORDS CLERK	05	0	\$0	0	\$0	3	\$82,881	0	\$0	New
12	RECORDS CLERK (HOLDING CENTER)	05	11	\$355,810	13	\$402,128	13	\$406,980	13	\$406,980	
13	RECORDS CLERK (HOLDING CENTER)55A	05	2	\$60,884	2	\$53,279	2	\$55,254	2	\$55,254	
Total:			286	\$13,415,061	298	\$13,883,897	350	\$16,358,208	298	\$14,246,216	

Part-time Positions

1	HOLDING CENTER GUARD (PT)	08	17	\$388,331	17	\$392,717	17	\$388,331	17	\$299,101	
Total:			17	\$388,331	17	\$392,717	17	\$388,331	17	\$299,101	

Cost Center 1161030 Bflo. Lock Up Security

Full-time Positions

1	DEPUTY SHERIFF-OFFICER	08	18	\$793,713	18	\$828,666	18	\$870,261	18	\$870,261	
2	REPORT TECHNICIAN (SHERIFF) 55A	05	1	\$28,560	1	\$29,665	1	\$31,046	1	\$31,046	
Total:			19	\$822,273	19	\$858,331	19	\$901,307	19	\$901,307	

2008 Budget Estimate - Summary of Personal Services

Fund Center: 116

Jail Management - Holding Center

Job Group	Prior Year 2006		Current Year 2007		Ensuing Year 2008				Remarks
	No:	Salary	No:	Salary	No:	Dept-Req	No:	Exec-Rec	

Cost Center 1161040 Food Service HC

Full-time Positions

1	COOK-MANAGER (HOLDING CENTER)	09	1	\$50,398	1	\$50,398	1	\$50,786	1	\$50,786	
2	COOK HOLDING CENTER	05	1	\$34,405	1	\$34,405	1	\$34,670	1	\$34,670	
3	ASSISTANT COOK-HOLDING CENER	04	3	\$96,790	3	\$97,304	3	\$98,571	3	\$98,571	
4	KITCHEN HELPER (HOLDING CENTER)	03	9	\$264,326	9	\$266,284	9	\$269,786	9	\$269,786	
Total:			14	\$445,919	14	\$448,391	14	\$453,813	14	\$453,813	

Cost Center 1161050 Medical Services HC

Full-time Positions

1	NURSING SUPERVISOR	12	0	\$0	0	\$0	1	\$50,597	0	\$0	New
2	REGISTERED NURSE	08	0	\$0	0	\$0	2	\$82,448	0	\$0	New
3	REGISTERED NURSE (HOLDING CENTER)	08	3	\$140,439	5	\$223,316	5	\$225,035	5	\$225,035	
4	HOLDING CENTER MEDICAL AIDE	07	8	\$343,323	6	\$261,633	6	\$264,641	6	\$264,641	
5	SENIOR MEDICAL SECRETARY (SHERIFF)	04	1	\$30,553	1	\$31,063	1	\$31,302	1	\$31,302	
Total:			12	\$514,315	12	\$516,012	15	\$654,023	12	\$520,978	

Part-time Positions

1	REGISTERED NURSE HC PT	08	0	\$0	1	\$17,455	1	\$17,455	1	\$17,455	
2	HOLDING CENTER MEDICAL AIDE (PT)	07	2	\$32,396	2	\$31,480	1	\$15,282	1	\$15,282	
Total:			2	\$32,396	3	\$48,935	2	\$32,737	2	\$32,737	

Cost Center 1161060 Programs HC

Full-time Positions

1	DEPUTY SHERIFF-OFFICER	08	5	\$261,685	5	\$261,685	5	\$266,879	5	\$266,879	
2	MAINTENANCE WORKER (SHERIFF)	05	1	\$33,170	1	\$33,170	1	\$34,045	1	\$34,045	
3	LABORER (SHERIFF)	04	7	\$201,057	7	\$199,998	7	\$205,116	7	\$205,116	
Total:			13	\$495,912	13	\$494,853	13	\$506,040	13	\$506,040	

2008 Budget Estimate - Summary of Personal Services

Fund Center: 116

Jail Management - Holding Center

Job Group	Prior Year 2006		Current Year 2007		Ensuing Year 2008					Remarks
	No:	Salary	No:	Salary	No:	Dept-Req	No:	Exec-Rec	No:	

Cost Center 1161070 Court Security

Full-time Positions

1	PRINCIPAL COURT DEPUTY	11	1	\$63,074	0	\$0	0	\$0	0	\$0	
2	LIEUTENANT-OFFICER	10	3	\$186,762	0	\$0	0	\$0	0	\$0	
3	SERGEANT-OFFICER	09	3	\$164,832	0	\$0	0	\$0	0	\$0	
4	DEPUTY SHERIFF OFFICER (55A)	08	1	\$48,549	0	\$0	0	\$0	0	\$0	
5	DEPUTY SHERIFF OFFICER (SPANISH SPK)	08	3	\$149,855	0	\$0	0	\$0	0	\$0	
6	DEPUTY SHERIFF-OFFICER	08	128	\$6,385,779	0	\$0	0	\$0	0	\$0	
7	COURT OFFICER (SHERIFF)	06	7	\$269,739	7	\$265,133	7	\$270,116	7	\$270,116	
Total:		146		\$7,268,590	7	\$265,133	7	\$270,116	7	\$270,116	

Cost Center 1161080 Transportation

Full-time Positions

1	LIEUTENANT-OFFICER	10	1	\$60,998	1	\$62,254	1	\$62,733	1	\$62,733	
2	SERGEANT	09	1	\$56,378	1	\$42,584	1	\$42,911	1	\$42,911	
3	SERGEANT-OFFICER	09	2	\$107,973	2	\$107,973	2	\$109,967	2	\$109,967	
4	DEPUTY SHERIFF-CRIMINAL	08	22	\$963,707	22	\$930,416	22	\$960,557	22	\$960,557	
5	DEPUTY SHERIFF-OFFICER	08	32	\$1,680,943	33	\$1,754,724	33	\$1,774,587	33	\$1,774,587	
Total:		58		\$2,869,999	59	\$2,897,951	59	\$2,950,755	59	\$2,950,755	

Cost Center 1163020 Security CF

Full-time Positions

1	CORRECTION CAPTAIN	12	1	\$66,539	1	\$68,022	1	\$68,545	1	\$68,545	
2	CORRECTION LIEUTENANT	11	8	\$460,372	8	\$460,378	8	\$465,261	8	\$465,261	
3	CORRECTION SERGEANT	10	0	\$0	0	\$0	1	\$41,549	0	\$0	New
4	CORRECTION SERGEANT	10	8	\$433,306	8	\$401,277	8	\$405,607	8	\$405,607	
5	CORRECTION OFFICER	09	177	\$8,460,068	187	\$8,825,409	187	\$9,070,825	187	\$9,070,825	
6	CORRECTION OFFICER (SPANISH SPEAKING)	09	3	\$146,858	3	\$147,985	3	\$151,402	3	\$151,402	
7	IDENTIFICATION OFFICER	09	2	\$100,534	2	\$101,670	2	\$102,452	2	\$102,452	
Total:		199		\$9,667,677	209	\$10,004,741	210	\$10,305,641	209	\$10,264,092	

2008 Budget Estimate - Summary of Personal Services

Fund Center: 116

Jail Management - Corr. Facility

Job Group	Prior Year 2006		Current Year 2007		Ensuuing Year 2008				Remarks
	No:	Salary	No:	Salary	No:	Dept-Req	No:	Exec-Rec	

Cost Center 1163040 Food Service CF

Full-time Positions

1 ASSISTANT FOOD SERVICE MANAGER	08	1	\$44,845	1	\$45,856	1	\$46,208	1	\$46,208	
2 BUTCHER	06	1	\$37,534	1	\$37,534	1	\$37,822	1	\$37,822	
3 COOK	05	4	\$125,924	4	\$127,650	4	\$129,250	4	\$129,250	
Total:		6	\$208,303	6	\$211,040	6	\$213,280	6	\$213,280	

Cost Center 1163050 Medical Services CF

Full-time Positions

1 SENIOR CORR FACILITY MEDICAL AIDE	09	1	\$49,683	1	\$49,683	1	\$50,065	1	\$50,065	
2 REGISTERED NURSE	08	0	\$0	0	\$0	2	\$82,448	0	\$0	New
3 REGISTERED NURSE (HOLDING CENTER)	08	0	\$0	3	\$126,860	3	\$127,837	3	\$127,837	
4 CORRECTIONAL FACILITY MEDICAL AIDE	06	8	\$298,068	7	\$264,643	7	\$266,676	7	\$266,676	
Total:		9	\$347,751	11	\$441,186	13	\$527,026	11	\$444,578	

Cost Center 1163060 Programs CF

Part-time Positions

1 INDUSTRIAL TRAINING SUPERVISOR PT	07	0	\$0	0	\$0	1	\$15,455	0	\$0	New
Total:		0	\$0	0	\$0	1	\$15,455	0	\$0	

Fund Center Summary Total

Full-time:	790	\$37,419,992	675	\$31,306,489	735	\$34,488,778	674	\$32,038,507
Part-time:	19	\$420,727	21	\$453,961	21	\$448,832	20	\$344,147
Fund Center Totals:	809	\$37,840,719	696	\$31,760,450	756	\$34,937,610	694	\$32,382,654

COUNTY OF ERIE

Fund: 110
 Department: Jail Management
 Fund Center: 116

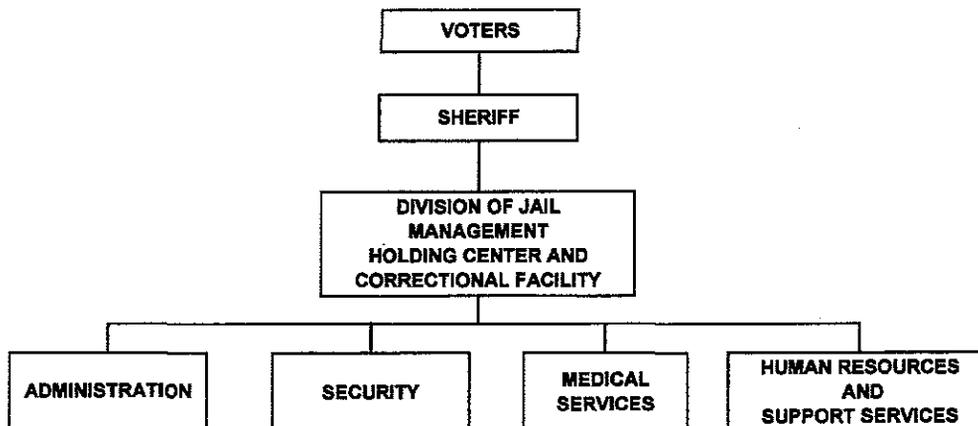
Account	Appropriations	2005 Actuals	2006 Actuals	2007 Legislative Adopted	2007 Adjusted Budget	2008 Department Request	2008 Executive Recommended	2008 Legislative Adopted
500000	FULL-TIME SALARIES	34,639,577	35,990,392	38,336,670	32,337,012	34,488,778	32,038,507	-
500010	PART-TIME WAGES	105,909	260,564	432,340	432,340	448,832	344,147	-
500020	REGULAR PART TIME WAGES	32,176	-	-	-	-	-	-
500300	SHIFT DIFFERENTIAL	677,981	716,027	712,000	712,000	712,000	712,000	-
500320	UNIFORM ALLOWANCE	505,250	535,188	602,250	507,000	522,750	479,500	-
500330	HOLIDAY WORKED	982,075	967,295	950,075	950,075	980,000	980,000	-
500340	LINE-UP	1,481,566	1,553,749	1,431,880	1,306,880	1,366,700	1,366,700	-
500350	OTHER EMPLOYEE PYMTS	23,338	69,361	80,000	80,000	88,785	70,000	-
501000	OVERTIME	9,449,937	10,208,804	8,600,000	9,600,000	9,000,000	9,000,000	-
502000	FRINGE BENEFITS	17,231,620	18,080,746	-	17,448,984	-	-	-
505000	OFFICE SUPPLIES	15,564	15,476	15,000	15,000	17,000	17,000	-
505200	CLOTHING SUPPLIES	187,721	251,219	231,000	231,000	203,250	188,750	-
505400	FOOD & KITCHEN SUPPLIES	1,626,577	1,690,912	1,680,000	1,680,000	1,780,000	1,780,000	-
505600	AUTO SUPPLIES	1,840	-	-	-	-	-	-
505800	MEDICAL SUPPLIES	469,733	1,045,611	1,170,000	1,170,000	1,250,000	1,220,000	-
506200	REPAIRS & MAINTENANCE	117,279	172,657	166,990	166,990	169,000	169,000	-
510000	LOCAL MILEAGE REIMBURSEMENT	-	139	-	-	-	-	-
510100	OUT OF AREA TRAVEL	15,625	19,020	18,000	21,500	22,000	18,000	-
516020	PRO SER CNT AND FEES	169,881	189,681	211,840	211,840	411,175	411,175	-
516030	MAINTENANCE CONTRACTS	23,956	24,192	26,900	26,900	28,000	28,000	-
516050	CONTRACTUAL-ECMC	1,010,980	886,508	1,200,000	1,200,000	1,200,000	1,010,000	-
530000	OTHER EXPENSES	46,468	43,058	51,000	51,000	55,000	50,500	-
545000	RENTAL CHARGES	2,974	2,714	3,700	3,700	7,750	7,750	-
561410	LAB & TECH EQUIP	3,764	-	-	27,959	51,500	25,000	-
911630	ID CORRECTIONAL FAC SVCS	(40,341)	(40,341)	(40,341)	(40,341)	(28,811)	(28,811)	-
912220	ID BUILD&GROUNDS SRV	-	11,000	11,000	11,000	11,000	11,000	-
912300	ID HIGHWAY SERVICES	-	74	-	-	-	-	-
912700	ID HEALTH SERVICES	77,917	106,222	155,084	155,084	159,135	159,135	-
912730	ID HEALTH LAB SRVCS	6,133	4,792	7,835	7,835	6,691	6,691	-
942000	ID LIBRARY SERVICES	282,170	290,847	289,101	289,101	291,348	291,348	-
980000	ID DISS SERVICES	190,241	234,928	213,100	213,100	213,348	282,046	-
Total Appropriations		69,339,911	73,330,834	56,555,424	68,815,959	53,455,231	50,637,438	-

COUNTY OF ERIE

Fund: 110
 Department: Jail Management
 Fund Center: 116

Account	Revenues	2005 Actuals	2006 Actuals	2007 Legislative Adopted	2007 Adjusted Budget	2008 Department Request	2008 Executive Recommended	2008 Legislative Adopted
407570	STATE AID-SCH FD PROG	7,250	7,363	6,840	6,840	7,000	7,000	-
408530	STATE AID-CRIMINAL JUSTICE PROG	9,042,757	9,812,115	9,598,200	2,593,546	355,000	355,000	-
409020	MISCELLANEOUS STATE AID	-	4,572	-	41,459	-	-	-
410150	FEDERAL AID-SSA PRISONER INCENTIVE	68,800	35,000	34,000	34,000	36,800	36,800	-
412000	FEDERAL AID-SCH FD PROG	161,762	161,021	144,000	144,000	160,000	160,000	-
414020	MISC FEDERAL AID	17,697	-	-	-	-	-	-
415500	PRISONER TRANSPORTATION	32,259	31,035	24,000	24,000	24,000	24,000	-
415600	INMATE FEES	2,534	1,620	2,400	2,400	4,500	4,500	-
415620	COMMISSARY REIMBURSEMENT	293,000	293,000	293,000	293,000	157,510	157,510	-
416520	MEDICAL RECORDS	-	130	-	-	-	-	-
420040	JAIL FACIL FROM OTHER GOVTS	5,326,036	4,898,504	4,586,558	4,586,558	3,907,694	3,907,694	-
422000	OTH DEPT INC COPIES	4,760	2,122	3,294	3,294	4,600	4,600	-
423000	REFUNDS P/Y EXPENSES	-	15,737	-	-	-	-	-
466070	REFUNDS P/Y EXPENSES	1,201	355,014	-	-	-	-	-
466130	OTHER UNCLASSIFIED REVENUE	-	1,923	-	-	-	-	-
Total Revenues		14,958,056	15,619,157	14,692,292	7,729,097	4,657,104	4,657,104	-

SHERIFF DIVISION OF JAIL MANAGEMENT



JAIL MANAGEMENT	2007 Actual	2008 Adopted	2008 Adjusted	2009 Adopted
Personal Services	61,182,733	44,912,518	62,136,776	65,656,597
Other	<u>5,896,317</u>	<u>5,658,834</u>	<u>5,658,834</u>	<u>6,231,903</u>
Total Appropriation	67,079,050	50,571,352	67,795,610	71,888,500
Revenue	<u>7,686,243</u>	<u>4,657,104</u>	<u>4,657,104</u>	<u>3,261,082</u>
County Share	59,392,807	45,914,248	63,138,506	68,627,418

DIVISION OF JAIL MANAGEMENT

Description

The Jail Management Division operates the Erie County Holding Center and the Erie County Correctional Facility. The Jail Management Division has a maximum cell capacity of 1522. For 2007, the average daily population was 1469.

The Erie County Holding Center processes all persons held while their criminal proceedings take place. The downtown Holding Center books more than 23,000 new admissions a year. The Holding Center has a maximum bed/cell capacity of 611.

The downtown Holding Center consists of two main sections. One side, built in the 1930's, is a linear cell block with the traditional cell block design. The other section, built in 1985, is a podular design consisting of four floors of podular housing units and gymnasium. In addition to housing new Erie County arrestee's, the Holding Center is under contract with the Federal Government to hold federal prisoners. State prisoners and parole violators are also held at the Holding Center. The Holding Center provides educational, medical, library, recreational, commissary and religious services for those committed to the institution. As part of the regular business of the Holding Center, deputies transport approximately 96,000 inmates to court appearances per year.

The Correctional Facility, located in Alden, New York, was merged with the Sheriff's Office in 2001. This merger combined the assets of the Correctional Facility with those of the Holding Center creating one jail management system for Erie County. The Correctional Facility, built in 1985, is located on approximately 90 acres of rural farmland. The Correctional Facility is entirely a "New Generation Jail" consisting of many podular and dormitory style-housing units. This facility now has a rated capacity of 798 beds/cells with an additional 112 beds/cells available for use through a variance from the NYS Commission of Corrections bringing the maximum capacity for the Correctional Facility to 910.

The Correctional Facility holds inmates serving terms of commitment for one year or less and parole violators. Sections of the Correctional Facility are also used to supplement Holding Center space to hold persons awaiting criminal proceedings.

The Correctional Facility offers medical, religious, recreational, and educational and library services to the inmates. Also, the Correctional Facility operates the Service Action Corps. Through this program, work crews provide supplemental labor for work in the county parks.

Revenues are received for jail services provided to NYS parole violators. Per diem rates established by the state determine the charges billed for the number of prisoner-days provided. Federal and State aid is received to provide lunches to eligible inmates under the school food program.

Mission Statement

To provide for the public safety by maintaining a safe and secure holding center and correctional facility for the confinement of incarcerated persons in accordance with federal, state and local laws and ordinances.

Program and Service Objectives

INMATE SECURITY

- To provide effective cell block and facility security to the Correctional Facility, Holding Center and Erie County Medical Center lock-up to assure the safety and security of all inmates, visitors and staff.

INMATE SERVICES

- To comply with the standards set forth by the Commission of Corrections, including the provision of three nutritionally balanced meals, medical services, recreation, religious services, visitation,

INMATE PROGRAMS

- To provide educational and rehabilitation programs for inmates. These include preparing and administering GED testing, reading, horticulture, kitchen, work projects, and other programs that help with the maintenance of the Facility's physical plant and grounds.
- To provide opportunity to improve the offender's ability to be successful in employment after incarceration.

Top Priorities for 2009

- Create opportunities for inmates to contribute to society through work projects that provide a measurable benefit to the citizens of Erie County.
- Provide new forms of training for inmates that will provide them with an employable skill upon release.
- To provide inmates with institutional services that will allow them to search and apply for employment while incarcerated and find educational opportunities for post release assistance.

Key Performance Indicators

	Actual 2007	Estimated 2008	Estimated 2009
<u>HOLDING CENTER</u>			
INMATE SECURITY			
Inmates admitted to facility	23,345	23,500	23,500
Average number of inmates per day Holding Center	555	550	550
INMATE SERVICES			
Inmates provided medial treatment	25,598	25,600	25,750
Inmates sent to ECMC for treatment	1,408	1,400	1,500
Number of religious services held	116	120	120
 <u>CORRECTIONAL FACILITY</u>			
INMATE SECURITY			
Average daily population	914	915	920
Parole violators	107	113	120
Inmates processed per year	10,968	10,975	11,000
Parole violators	497	550	600

	Actual 2007	Estimated 2008	Estimated 2009
<i>INMATE SERVICES</i>			
Medical/dental exams	14,500	16,250	18,000
Annual number of inmates that participated in religion	8,000	9,000	10,000
Outcome Measures			
Services Action Corps			
• Number of inmate hours logged			44,820
Institutional Employment			
• Number of inmates employed on a per day basis			393
Rehabilitation Initiatives			
• Percentage of inmates successfully completing the GED Exam			80%
Community Involvement			
• Number of community groups providing inmates with religions programs			10
• Number of community groups providing inmates with human services			6

2009 Budget Estimate - Summary of Personal Services

Fund Center: 116

Jail Management - Holding Center

Job Group	Current Year 2008		Ensnung Year 2009				
	No:	Salary	No:	Dept-Req	No:	Exec-Rec	No:

Cost Center 1161010 Administration - Jail Management

Full-time	Positions									

1	FIRST DEPUTY SUPERINTENDENT-SHERIFF	15	3	\$267,361	3	\$271,394	3	\$271,394	3	\$271,394
2	CHIEF OF OPERATIONS (SHERIFF)	13	2	\$151,132	2	\$151,714	2	\$151,714	2	\$151,714
3	ADMINISTRATIVE ASSISTANT (SHERIFF)	09	1	\$49,323	1	\$49,513	1	\$49,513	1	\$49,513
4	CORRECTION OFFICER	09	2	\$83,614	2	\$88,460	2	\$88,460	2	\$88,460
5	SERGEANT-OFFICER	09	2	\$112,588	2	\$113,021	2	\$113,021	2	\$113,021
6	DEPUTY SHERIFF-OFFICER	08	4	\$206,819	4	\$207,615	4	\$207,615	4	\$207,615
7	MEDICAL RECORDS ADMINISTRATOR (HC)	08	0	\$0	1	\$34,070	1	\$34,070	1	\$34,070
8	COMMITMENTS CLERK	07	2	\$75,495	2	\$75,786	2	\$75,786	2	\$75,786
9	SECURITY SERVICES ASSISTANT	06	1	\$30,318	1	\$30,435	1	\$30,435	1	\$30,435
10	SENIOR ACCOUNT CLERK	06	1	\$30,318	1	\$30,435	1	\$30,435	1	\$30,435
11	SENIOR STORES CLERK	05	1	\$30,547	1	\$31,255	1	\$31,255	1	\$31,255
12	ACCOUNT CLERK TYPIST (SHERIFF)	04	1	\$25,915	1	\$26,014	1	\$26,014	1	\$26,014
13	DATA ENTRY OPERATOR (SHERIFF)	04	1	\$31,581	1	\$31,702	1	\$31,702	1	\$31,702
14	MEDICAL OFFICE ASSISTANT (HC)	04	0	\$0	1	\$26,014	1	\$26,014	1	\$26,014
15	SENIOR MEDICAL SECRETARY	04	1	\$26,686	1	\$26,789	1	\$26,789	1	\$26,789
16	RECEPTIONIST	03	4	\$104,552	4	\$109,231	4	\$109,231	4	\$109,231
17	RECEPTIONIST	03	0	\$0	1	\$26,896	1	\$26,896	1	\$26,896
	Total:		26	\$1,226,249	29	\$1,329,344	29	\$1,329,344	29	\$1,329,344

Part-time	Positions									

1	ACCOUNT CLERK (SHERIFF) PT	04	1	\$11,613	2	\$23,226	1	\$11,613	1	\$11,613
	Total:		1	\$11,613	2	\$23,226	1	\$11,613	1	\$11,613

Cost Center 1161020 Security HC

Full-time	Positions									

1	CAPTAIN-OFFICER	11	1	\$68,001	1	\$68,263	1	\$68,263	1	\$68,263
2	LIEUTENANT-OFFICER	10	6	\$355,928	8	\$449,482	6	\$357,300	6	\$357,300
3	SERGEANT-OFFICER	09	25	\$1,338,718	25	\$1,345,020	25	\$1,345,020	25	\$1,345,020
4	DEPUTY SHERIFF OFFICER (55A)	08	1	\$48,549	1	\$48,736	1	\$48,736	1	\$48,736
5	DEPUTY SHERIFF OFFICER (SPANISH SPK)	08	6	\$286,450	6	\$290,674	6	\$290,674	6	\$290,674
6	DEPUTY SHERIFF-OFFICER	08	300	\$13,774,593	300	\$14,117,199	300	\$14,117,199	300	\$14,117,199
7	SENIOR RECORDS CLERK (HOLDING CENTER)	07	0	\$0	1	\$31,725	0	\$0	0	\$0
8	RECORDS CLERK (HOLDING CENTER)	05	15	\$458,703	15	\$463,751	15	\$463,751	15	\$463,751
	Total:		354	\$16,330,942	357	\$16,814,850	354	\$16,690,943	354	\$16,690,943

Part-time	Positions									

1	HOLDING CENTER GUARD (PT)	08	17	\$388,331	17	\$388,331	17	\$388,331	17	\$388,331
	Total:		17	\$388,331	17	\$388,331	17	\$388,331	17	\$388,331

Cost Center 1161030 Bflo. Lock Up Security

Full-time	Positions									

1	DEPUTY SHERIFF-OFFICER	08	18	\$849,198	18	\$862,799	18	\$862,799	18	\$862,799
2	RECORDS CLERK (HOLDING CENTER)	05	1	\$30,809	1	\$32,059	1	\$32,059	1	\$32,059
	Total:		19	\$880,007	19	\$894,858	19	\$894,858	19	\$894,858

2009 Budget Estimate - Summary of Personal Services

Fund Center: 116		Current Year 2008		Ensuing Year 2009						
Jail Management - Holding Center		Job Group	No:	Salary	No:	Dept-Req	No:	Exec-Rec	No:	Leg-Adopted
Cost Center	1161040	Food Service HC								
Full-time Positions		-----								
1	COOK-MANAGER (HOLDING CENTER)	09	1	\$50,398	1	\$50,592	1	\$50,592	1	\$50,592
2	COOK HOLDING CENTER	05	1	\$34,405	1	\$35,156	1	\$35,156	1	\$35,156
3	ASSISTANT COOK-HOLDING CENER	04	3	\$97,818	3	\$98,193	3	\$98,193	3	\$98,193
4	KITCHEN HELPER (HOLDING CENTER)	03	9	\$261,466	10	\$290,629	9	\$265,586	9	\$265,586
Total:			14	\$444,087	15	\$474,470	14	\$449,527	14	\$449,527
Part-time Positions		-----								
1	KITCHEN HELPER (HOLDING CENTER) PT	03	0	\$0	1	\$11,803	0	\$0	0	\$0
Total:			0	\$0	1	\$11,803	0	\$0	0	\$0
Cost Center	1161050	Medical Services HC								
Full-time Positions		-----								
1	NURSE CLINICIAN - PSYCHIATRY	12	0	\$0	1	\$56,499	1	\$56,499	1	\$56,499
2	NURSING SUPERVISOR - HOLDING CENTER	12	0	\$0	1	\$50,404	0	\$0	0	\$0
3	HEAD NURSE (HOLDING CENTER)	10	0	\$0	1	\$53,075	1	\$53,075	1	\$53,075
4	REGISTERED NURSE (HOLDING CENTER)	08	0	\$0	2	\$78,989	2	\$78,989	2	\$78,989
5	REGISTERED NURSE (HOLDING CENTER)	08	5	\$225,380	5	\$228,859	5	\$228,859	5	\$228,859
6	REGISTERED NURSE (HOLDING CENTER) SPAN	08	1	\$40,909	1	\$41,067	1	\$41,067	1	\$41,067
7	HOLDING CENTER MEDICAL AIDE	07	5	\$219,835	5	\$221,672	5	\$221,672	5	\$221,672
8	HOLDING CENTER MEDICAL AIDE	07	1	\$41,798	0	\$0	0	\$0	0	\$0
9	DENTAL HYGIENIST (HOLDING CENTER)	05	0	\$0	1	\$27,522	1	\$27,522	1	\$27,522
10	MEDICAL SECRETARY	04	0	\$0	1	\$26,014	0	\$0	0	\$0
11	SENIOR MEDICAL SECRETARY (SHERIFF)	04	1	\$31,063	1	\$31,182	1	\$31,182	1	\$31,182
12	DENTAL ASSISTANT (HOLDING CENTER)	03	0	\$0	1	\$24,943	1	\$24,943	1	\$24,943
Total:			13	\$558,985	20	\$840,226	18	\$763,808	18	\$763,808
Part-time Positions		-----								
1	REGISTERED NURSE (HOLDING CENTER) PT	08	0	\$0	1	\$19,452	1	\$19,452	1	\$19,452
2	REGISTERED NURSE (HOLDING CENTER) PT	08	1	\$19,432	1	\$19,432	1	\$19,432	1	\$19,432
3	HOLDING CENTER MEDICAL AIDE (PT)	07	1	\$16,198	0	\$0	0	\$0	0	\$0
Total:			2	\$35,630	2	\$38,884	2	\$38,884	2	\$38,884
Cost Center	1161060	Programs HC								
Full-time Positions		-----								
1	DEPUTY SHERIFF-OFFICER	08	5	\$260,631	5	\$262,693	5	\$262,693	5	\$262,693
2	MAINTENANCE WORKER (SHERIFF)	05	1	\$33,785	1	\$33,915	1	\$33,915	1	\$33,915
3	LABORER (SHERIFF)	04	7	\$197,528	7	\$204,086	7	\$204,086	7	\$204,086
Total:			13	\$491,944	13	\$500,694	13	\$500,694	13	\$500,694
Cost Center	1161070	Court Security								
Full-time Positions		-----								
1	COURT OFFICER (SHERIFF)	06	7	\$267,198	7	\$269,384	7	\$269,384	7	\$269,384
Total:			7	\$267,198	7	\$269,384	7	\$269,384	7	\$269,384

2009 Budget Estimate - Summary of Personal Services

Fund Center: 116

Jail management - Holding Center

Job Group Current Year 2008 Ensluing Year 2009
 No: Salary No: Dept-Req No: Exec-Rec No: Leg-Adopted

Cost Center 1161080 Transportation

Full-time Positions

1	SERGEANT	09	1	\$59,812	1	\$60,043	1	\$60,043	1	\$60,043
2	SERGEANT-OFFICER	09	1	\$52,256	1	\$52,457	1	\$52,457	1	\$52,457
3	DEPUTY SHERIFF-CRIMINAL	08	21	\$946,492	21	\$964,317	21	\$964,317	21	\$964,317
4	DEPUTY SHERIFF-OFFICER	08	29	\$1,548,955	29	\$1,555,446	29	\$1,555,446	29	\$1,555,446
Total:			52	\$2,607,515	52	\$2,632,263	52	\$2,632,263	52	\$2,632,263

Cost Center 1163020 Security CF

Full-time Positions

1	CORRECTION CAPTAIN	12	1	\$68,022	1	\$68,284	1	\$68,284	1	\$68,284
2	CORRECTION LIEUTENANT	11	8	\$484,335	8	\$490,876	8	\$490,876	8	\$490,876
3	CORRECTION SERGEANT	10	8	\$397,589	8	\$400,974	8	\$400,974	8	\$400,974
4	CORRECTION OFFICER	09	184	\$8,705,377	184	\$8,887,125	184	\$8,887,125	184	\$8,887,125
5	CORRECTION OFFICER (SPANISH SPEAKING)	09	3	\$150,246	3	\$150,824	3	\$150,824	3	\$150,824
6	IDENTIFICATION OFFICER	09	2	\$101,670	2	\$103,633	2	\$103,633	2	\$103,633
Total:			206	\$9,907,239	206	\$10,101,716	206	\$10,101,716	206	\$10,101,716

Cost Center 1163040 Food Service CF

Full-time Positions

1	ASSISTANT FOOD SERVICE MANAGER	08	1	\$45,856	1	\$46,032	1	\$46,032	1	\$46,032
2	BUTCHER	06	1	\$37,534	1	\$38,451	1	\$38,451	1	\$38,451
3	COOK	05	4	\$128,284	4	\$128,756	4	\$128,756	4	\$128,756
Total:			6	\$211,654	6	\$213,239	6	\$213,239	6	\$213,239

Cost Center 1163050 Medical Services CF

Full-time Positions

1	HEAD NURSE (CORRECTIONAL FACILITY)	10	0	\$0	1	\$53,075	1	\$53,075	1	\$53,075
2	SENIOR CORR FACILITY MEDICAL AIDE	09	1	\$49,683	1	\$50,427	1	\$50,427	1	\$50,427
3	REGISTERED NURSE (HOLDING CENTER)	08	3	\$126,860	3	\$127,350	3	\$127,350	3	\$127,350
4	REGISTERED NURSE (HOLDING CENTER)	08	0	\$0	2	\$82,134	2	\$82,134	2	\$82,134
5	CORRECTIONAL FACILITY MEDICAL AIDE	06	1	\$30,318	0	\$0	0	\$0	0	\$0
6	CORRECTIONAL FACILITY MEDICAL AIDE	06	6	\$234,325	6	\$235,628	6	\$235,628	6	\$235,628
Total:			11	\$441,186	13	\$548,614	13	\$548,614	13	\$548,614

Cost Center 1163060 Programs CF

Regular Part-time Positions

1	INDUSTRIAL TRAINING SUPERVISOR RPT	07	1	\$31,724	1	\$31,724	1	\$31,724	1	\$31,724
2	MAINTENANCE WORKER (RPT)	05	0	\$0	3	\$79,365	0	\$0	0	\$0
Total:			1	\$31,724	4	\$111,089	1	\$31,724	1	\$31,724

2009 Budget Estimates - Summary of Personal Services

Fund Center: 116
 Jail Management - Corr. Facility

	Current Year 2008		Ensuing Year 2009					
	Job Group	No: Salary	No:	Dept-Req	No: Exec-Rec	No: Leg-Adopted		
Fund Center Summary Totals								
Full-time:	721	\$33,367,006	737	\$34,619,658	731	\$34,394,390	731	\$34,394,390
Part-time:	20	\$435,574	22	\$462,244	20	\$438,828	20	\$438,828
Regular Part-time:	1	\$31,724	4	\$111,089	1	\$31,724	1	\$31,724
Fund Center Totals:	742	\$33,834,304	763	\$35,192,991	752	\$34,864,942	752	\$34,864,942

COUNTY OF ERIE

Fund: 110
 Department: Jail Management
 Fund Center: 116

Account	Appropriations	2007 Actuals	2008 Legislative Adopted	2008 Adjusted Budget	2009 Department Request	2009 Executive Recommendation	2009 Legislative Adopted
500000	FULL-TIME SALARIES	30,953,222	34,086,123	34,032,467	34,619,658	34,394,390	34,394,390
500010	PART-TIME WAGES	319,867	344,147	344,147	462,244	438,828	438,828
500020	REGULAR PART TIME WAGES	-	-	-	111,089	31,724	31,724
500300	SHIFT DIFFERENTIAL	711,366	712,000	712,000	735,000	735,000	735,000
500320	UNIFORM ALLOWANCE	452,024	516,250	516,250	520,500	520,000	520,000
500330	HOLIDAY WORKED	999,187	980,000	980,000	985,000	985,000	985,000
500340	LINE-UP	1,316,680	1,478,528	1,478,528	1,365,000	1,365,000	1,365,000
500350	OTHER EMPLOYEE PYMTS	84,308	70,000	70,000	85,000	85,000	85,000
501000	OVERTIME	10,160,725	8,725,470	6,725,470	6,725,470	6,725,470	6,725,470
502000	FRINGE BENEFITS	16,185,554	-	17,277,914	20,376,185	20,376,185	20,376,185
505000	OFFICE SUPPLIES	23,471	17,000	17,000	17,000	17,000	17,000
505200	CLOTHING SUPPLIES	132,392	201,000	201,000	200,750	200,750	200,750
505400	FOOD & KITCHEN SUPPLIES	1,837,349	1,780,000	1,780,000	1,945,500	1,945,500	1,945,500
505800	MEDICAL SUPPLIES	1,344,466	1,220,000	1,220,000	1,377,325	1,220,000	1,220,000
506200	REPAIRS & MAINTENANCE	176,357	169,000	169,000	217,435	217,435	217,435
510000	LOCAL MILEAGE REIMBURSEMENT	402	-	-	-	-	-
510100	OUT OF AREA TRAVEL	17,819	18,000	18,000	18,000	18,000	18,000
510200	TRAINING & EDUCATION	-	-	-	6,000	-	-
516010	CNT PMTS-NON-PRO SUB	39,048	-	-	-	-	-
516020	PRO SER CNT AND FEES	280,280	411,175	411,175	407,025	407,025	407,025
516030	MAINTENANCE CONTRACTS	26,818	28,000	28,000	33,500	33,500	33,500
516050	CONTRACTUAL-ECMC	1,271,797	1,010,000	1,010,000	1,010,000	1,010,000	1,010,000
530000	OTHER EXPENSES	48,668	50,500	50,500	55,000	50,500	50,500
545000	RENTAL CHARGES	4,969	7,750	7,750	8,700	8,700	8,700
561410	LAB & TECH EQUIP	27,959	25,000	25,000	228,910	228,910	228,910
561420	OFFICE EQUIPMENT	-	-	-	9,280	-	-
561440	MOTOR VEHICLE EQUIPMENT	-	-	-	82,500	-	-
911630	ID CORRECTIONAL FAC SVCS	(28,831)	(28,811)	(28,811)	(28,811)	(28,811)	(28,811)
912220	ID BUILD&GROUNDS SRV	-	11,000	11,000	11,000	-	-
912700	ID HEALTH SERVICES	141,764	159,135	159,135	190,063	190,063	190,063
912730	ID HEALTH LAB SVCS	3,429	6,691	6,691	5,753	5,753	5,753
942000	ID LIBRARY SERVICES	289,101	291,348	291,348	291,348	291,348	291,348
980000	ID DISS SERVICES	259,359	282,046	282,046	416,230	416,230	416,230
Total	Appropriations	87,079,050	50,571,352	67,795,610	72,487,654	71,888,500	71,888,500

Account	Revenues	2007 Actuals	2008 Legislative Adopted	2008 Adjusted Budget	2009 Department Request	2009 Executive Recommendation	2009 Legislative Adopted
407570	STATE AID-SCH FD PROG	7,324	7,000	7,000	7,000	7,000	7,000
408530	STATE AID-CRIMINAL JUSTICE PROG	2,727,062	355,000	355,000	365,000	365,000	365,000
409020	MISCELLANEOUS STATE AID	40,566	-	-	-	-	-
410150	FEDERAL AID-SSA PRISONER INCENTIVE	48,828	38,800	36,800	40,000	40,000	40,000
412000	FEDERAL AID-SCH FD PROG	168,534	160,000	160,000	160,000	160,000	160,000
415500	PRISONER TRANSPORTATION	31,519	24,000	24,000	24,000	24,000	24,000
415600	INMATE FEES	4,046	4,500	4,500	3,400	3,400	3,400
415620	COMMISSARY REIMBURSEMENT	293,000	157,510	157,510	147,628	147,628	147,628
416520	MEDICAL RECORDS	90	-	-	-	-	-
420040	JAIL FACIL FROM OTHER GOVTS	4,361,186	3,907,694	3,907,694	2,510,054	2,510,054	2,510,054
422000	OTH DEPT INC COPIES	4,030	4,600	4,600	4,000	4,000	4,000
466070	REFUNDS P/Y EXPENSES	33	-	-	-	-	-
468130	OTHER UNCLASSIFIED REVENUE	2,025	-	-	-	-	-
Total	Revenues	7,686,243	4,657,104	4,657,104	3,261,082	3,261,082	3,261,082