

MEETING NO. 9
March 17, 2005

ERIE COUNTY LEGISLATURE

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The Legislature was called to order by Chairman Holt.

All Members Present.

A Moment of Silence was held.

A Pledge of Allegiance was led by Mr. Ranzenhofer.

Item 1 – CHAIRMAN HOLT directed that the Rules of the Legislature for 2005 Remain on the table.

Item 2 – No tabled items.

Item 3 – No items for reconsideration from previous meetings.

Item 4 – Minutes of Previous Meeting were tabled.

Item 5 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 6 – SMITH & HOLT presented a resolution In Memory of Leon White and moved for immediate approval. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 7 - SMITH & HOLT presented a resolution Honoring Thomas B. Howell Jr. Upon His 70th Birthday Celebration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 8 – MS. MARINELLI moved to reconsider the Miscellaneous Resolution In Memory of Leon White. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to amend the resolution to include Et Al sponsorship and for immediate approval. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 9 – Ms. Marinelli moved to reconsider the Miscellaneous Resolution Honoring Thomas B. Howell Jr. Upon His 70th Birthday Celebration. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to amend the resolution to include Et Al sponsorship and for immediate approval. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 10 – CHAIRMAN HOLT directed that Local Law No. 10 (Print #1) 2004 remain on the table and in the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

Item 11 – CHAIRMAN HOLT directed that Local Law No. 12 (Print #1) 2004 remain on the table.

GRANTED.

Item 12 – CHAIRMAN HOLT directed that Local Law No. 14 (Print #1) 2004 remain on the table.

GRANTED.

Item 13 – CHAIRMAN HOLT directed that Local Law No. 15 (Print #1) 2004 remain on the table.

GRANTED.

Item 14 – CHAIRMAN HOLT directed that Local Law No. 17 (Print #1) 2004 remain on the table.

GRANTED.

Item 15 – CHAIRMAN HOLT directed that Local Law No. 18 (Print #2) 2004 remain on the table.

GRANTED.

Item 16 – CHAIRMAN HOLT directed that Local Law No. 2 (Print #1) 2005 remain on the table.

GRANTED.

Item 17 – CHAIRMAN HOLT directed that Local Law No. 4 (Print #1) 2005 remain on the table.

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GRANTED.

Item 18 – CHAIRMAN HOLT directed that Local Law No. 5 (Print #1) 2005 remain on the table.

GRANTED.

Item 19 – CHAIRMAN HOLT directed that Local Law No. 5 (Print #1) 2005 remain on the table.

GRANTED.

COMMITTEE REPORTS

None.

LEGISLATOR RESOLUTIONS

FROM LEGISLATOR HOLT

Item 20 – Ms. Marinelli presented the following resolution and moved for immediate consideration. MR. SWANICK seconded.

Re:Corrections and Adjustments to 2005 Erie
County Budget (Intro 9-1)

A RESOLUTION TO BE SUBMITTED BY
LEGISLATOR HOLT

RE: CORRECTIONS AND ADJUSTMENTS TO 2005 ERIE COUNTY BUDGET

MS. MARINELLI moved to amend item by adding the following resolution. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

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WHEREAS, the 2005 Erie County CAAB Budget requires additional adjustments due to the inability to utilize \$14,100,000 of appropriated fund balance,

NOW THEREFORE BE IT

RESOLVED, that the following budgetary transactions are hereby authorized in the 2005 Erie County Budget,

Fund	Department	Account	2005 CAAB Budget	Proposed Adjustments	Final 2005 CAAB Budget
110	Expense				
	Board of Elections	501000 OVERTIME	129,008	(29,000)	100,008
		516020 PRO SER CNT AND FEES	128,651	(10,087)	118,564
	Board of Elections Total		257,659	(39,087)	218,572
	Budget, Management and Finance	530000 OTHER EXPENSES	107,965	(26,591)	81,374
	Budget, Management and Finance Total		107,965	(26,591)	81,374
	Buildings and Grounds (DPW)	506200 REPAIRS & MAINTENANCE	700,000	(50,000)	650,000
	Buildings and Grounds (DPW) Total		700,000	(50,000)	650,000
	Comptroller	516020 PRO SER CNT AND FEES	281,775	(42,170)	239,605
	Comptroller Total		281,775	(42,170)	239,605
	County Clerk Auto Bureau Division	500010 PART-TIME WAGES	91,416	(30,000)	61,416
		501000 OVERTIME	20,088	(7,000)	13,088
		530000 OTHER EXPENSES	52,275	(32,348)	19,927
	County Clerk Auto Bureau Division Total		163,789	(69,348)	94,441
	County Clerk Registrar Division	501000 OVERTIME	10,000	(5,000)	5,000
		505000 OFFICE SUPPLIES	15,110	(5,000)	10,110
		515000 UTILITY CHARGES	10,000	(2,000)	8,000
		516030 MAINTENANCE CONTRACTS	11,200	(2,000)	9,200
		530000 OTHER EXPENSES	25,000	(2,000)	23,000
	County Clerk Registrar Division Total		71,310	(18,000)	55,310
	County Executive	500000 PERSONAL SERVICES	845,295	(20,518)	824,777
	County Executive Total		845,295	(20,518)	824,777
	County Wide Budget Accounts	502030 FRINGE BENEFITS-EMPLOYEE HEALTH INS	45,937,756	(808,754)	45,129,002
		518050 CONTRACTUAL-ECMC HEALTHCARE NETWORK	19,000,000	(3,000,000)	16,000,000
		598900 COUNTY CONTINGENCY	1,162,744	(1,000,000)	162,744
	County Wide Budget Accounts Total		66,100,500	(4,808,754)	61,291,746
	District Attorney	510000 LOCAL MILEAGE REIMBURSEMENT	30,000	(5,000)	25,000
		510200 TRAINING & EDUCATION	50,550	(9,000)	41,550
		516020 PRO SER CNT AND FEES	220,300	(42,000)	178,300
		530000 OTHER EXPENSES	26,500	(12,000)	14,500
	District Attorney Total		327,350	(68,000)	259,350
	Division of Information and Support Services	515000 UTILITY CHARGES	1,260,000	(30,409)	1,229,591
		516030 MAINTENANCE CONTRACTS	1,491,663	(39,000)	1,452,663
	Division of Information and Support Services Total		2,751,663	(69,409)	2,682,254
	ECC Payments	570030 INTERFUND-ERIE COMMUNITY COLLEGE	13,570,777	(5,000,000)	8,570,777
	ECC Payments Total		13,570,777	(5,000,000)	8,570,777
	Environment & Planning	516020 CONTRACTUAL	125,500	(30,075)	95,425
	Environment & Planning Total		125,500	(30,075)	95,425
	Health Division	505000 OFFICE SUPPLIES	19,378	(20,000)	(622)
		505800 MEDICAL SUPPLIES	265,685	(20,000)	245,685
		510000 LOCAL MILEAGE REIMBURSEMENT	133,188	(20,000)	113,188
	Health Division Total		418,251	(60,000)	358,251
	Law	516020 PRO SER CNT AND FEES	354,000	(43,885)	310,115
	Law Total		354,000	(43,885)	310,115
	Legislature	505000 OFFICE SUPPLIES	36,248	(5,000)	31,248
		530000 OTHER EXPENSES	226,690	(39,413)	187,277
	Legislature Total		263,138	(44,413)	218,725

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Fund	Department	Account	2005 CAAB Budget	Proposed Adjustments	Final 2005 CAAB Budget
110 Expense					
	Personnel Department	505000 OFFICE SUPPLIES	11,475	(2,000)	9,475
		516020 PRO SER CNT AND FEES	68,000	(12,000)	56,000
	Personnel Department Total		79,475	(14,000)	65,475
	Public Health Lab	505800 MEDICAL SUPPLIES	330,062	(17,898)	312,164
	Public Health Lab Total		330,062	(17,898)	312,164
	Sheriff Division	500000 PERSONAL SERVICES	9,928,002	(2,035,000)	7,893,002
		505200 CLOTHING SUPPLIES	66,300	(15,000)	51,300
		505600 AUTO SUPPLIES	60,600	(20,000)	40,600
		506200 REPAIRS & MAINTENANCE	80,000	(10,000)	70,000
		530000 OTHER EXPENSES	42,800	(20,000)	22,800
	Sheriff Division Total		10,177,702	(2,100,000)	8,077,702
	Social Services	500000 PERSONAL SERVICES	64,723,408	(1,172,171)	63,551,237
		525000 MMIS-MEDICAID LOCAL SHARE	197,760,983	(900,000)	196,860,983
		516010 GREATER BUFFALO WORKS	855,000	(250,000)	605,000
	Social Services Total		263,339,391	(2,322,171)	261,017,220
	Youth Detention	516020 PRO SER CNT AND FEES	2,840,150	(75,957)	2,564,193
	Youth Detention Total		2,840,150	(75,957)	2,564,193
	Expense Total		362,905,752	(14,918,276)	347,987,476
Revenue					
	County Wide Budget Accounts	402190 APPROPRIATED FUND BALANCE	31,960,956	(14,100,000)	17,860,956
	County Wide Budget Accounts Total		31,960,956	(14,100,000)	17,860,956
	Social Services	407690 STATE AID - FAMILY ASSIST EMPLOYMENT	1,661,474	(62,500)	1,598,974
		411540 FEDERAL AID-SOC SERV ADMIN	32,995,803	(630,776)	32,365,027
		411630 FED AID - FAMILY ASSISTANCE EMPLOYMENT	3,332,032	(125,000)	3,207,032
	Social Services Total		37,989,309	(818,276)	37,171,033
	Revenue Total		69,950,265	(14,918,276)	55,031,989

and be it further,

RESOLVED, that the Erie County Sheriff provide the Legislature by March 21, 2005, additional position deletions which achieve a savings of \$2,035,000,

and be it further,

RESOLVED, that the the attached position deletions from the Department of Social Services, which total \$1,172,171, are hereby approved,

and be it further,

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, the Director of Budget, Management and Finance, the County Comptroller, and the County Attorney.

EE	Fund	Fund Center	Department	Cost Center	Job Title	Group	2005 Budgeted Salary	Adjustment	Comment
FT	110	120 Social Services	1201020	CHIEF SECRETARIAL TYPIST	7	41,221	(29,198)	Delete	
FT	110	120 Social Services	1202040	SYSTEMS SUPPORT DIRECTOR	13	71,390	(50,568)	Delete	
FT	110	120 Social Services	1202040	SYSTEMS SUPPORT SPECIALIST	11	58,972	(41,772)	Delete	
FT	110	120 Social Services	1202050	SENIOR SOCIAL SERVICES PROGRAM SPEC	9	48,709	(34,502)	Delete	
FT	110	120 Social Services	1202050	SENIOR CLERK-TYPIST	4	31,878	(22,580)	Delete	
FT	110	120 Social Services	1202060	PRINCIPAL CLERK	6	36,727	(26,015)	Delete	
FT	110	120 Social Services	1202060	CLERK	1	25,513	(18,072)	Delete	
FT	110	120 Social Services	1202060	CLERK TYPIST	1	25,513	(18,072)	Delete	
FT	110	120 Social Services	1203020	SENIOR SOCIAL WELFARE EXAMINER	7	40,319	(28,559)	Delete	
FT	110	120 Social Services	1203030	SPECIAL INVESTIGATOR	8	44,957	(31,845)	Delete	
FT	110	120 Social Services	1203030	SPECIAL INVESTIGATOR	8	44,957	(31,845)	Delete	
FT	110	120 Social Services	1203030	SPECIAL INVESTIGATOR	8	44,957	(31,845)	Delete	
FT	110	120 Social Services	1203030	SPECIAL INVESTIGATOR	8	44,957	(31,845)	Delete	
FT	110	120 Social Services	1203030	SENIOR SOCIAL WELFARE EXAMINER	7	40,768	(28,877)	Delete	
FT	110	120 Social Services	1203030	SENIOR SOCIAL WELFARE EXAMINER	7	43,019	(30,472)	Delete	
FT	110	120 Social Services	1203030	SENIOR SOCIAL WELFARE EXAMINER	7	42,116	(29,832)	Delete	
FT	110	120 Social Services	1203030	SENIOR SOCIAL WELFARE EXAMINER	7	42,432	(30,056)	Delete	
FT	110	120 Social Services	1203040	SENIOR SOCIAL WELFARE EXAMINER	7	42,432	(29,832)	Delete	
FT	110	120 Social Services	1203040	SENIOR SOCIAL WELFARE EXAMINER	7	42,116	(29,832)	Delete	
FT	110	120 Social Services	1203050	RESOURCE ADJUSTOR	7	42,116	(29,832)	Delete	
FT	110	120 Social Services	1203080	SENIOR PARALEGAL	7	40,319	(28,559)	Delete	
FT	110	120 Social Services	1203080	SENIOR PARALEGAL	7	39,422	(27,924)	Delete	
FT	110	120 Social Services	1203080	PARALEGAL	5	32,242	(22,838)	Delete	
FT	110	120 Social Services	1203080	SENIOR CLERK-TYPIST	4	30,322	(21,478)	Delete	
FT	110	120 Social Services	1203080	PARALEGAL	5	32,242	(22,838)	Delete	
FT	110	120 Social Services	1203080	CLERK TYPIST	1	25,513	(18,072)	Delete	
FT	110	120 Social Services	1205030	WELFARE TO WORK COORDINATOR	12	59,523	(42,162)	Delete	
FT	110	120 Social Services	1206030	EMPLOYMENT COUNSELOR	9	47,636	(33,742)	Delete	
FT	110	120 Social Services	1206030	PRINCIPAL WORK FOR RELIEF SUPERVISOR	8	36,192	(25,636)	Delete	
FT	110	120 Social Services	1206030	WORK FOR RELIEF SUPERVISOR	4	28,912	(20,479)	Delete	
FT	110	120 Social Services	1206030	WORK FOR RELIEF SUPERVISOR	4	29,729	(21,058)	Delete	
FT	110	120 Social Services	1207030	HEAD SOCIAL WELFARE EXAMINER	10	52,493	(37,163)	Delete	
FT	110	120 Social Services	1207040	CHIEF SOCIAL WELFARE EXAMINER	12	62,348	(44,163)	Delete	
FT	110	120 Social Services	1207070	SENIOR MEDICAID REFORM SPECIALIST	8	41,981	(29,737)	Delete	
FT	110	120 Social Services	1207070	SENIOR SOCIAL WELFARE EXAMINER	7	41,221	(29,198)	Delete	
FT	110	120 Social Services	1207070	SOCIAL WELFARE EXAMINER	6	35,137	(24,889)	Delete	
FT	110	120 Social Services	1207070	CHAP HEALTH AIDE	3	28,904	(20,474)	Delete	
FT	110	120 Social Services	1208030	CHILD PROTECTIVE WORKER	8	36,192	(25,636)	Delete	
FT	110	120 Social Services	1208030	CHILD PROTECTIVE WORKER	7	35,984	(25,489)	Delete	
FT	110	120 Social Services	1208040	SOCIAL CASE SUPERVISOR	12	62,348	(45,165)	Delete	
(1,172,171)									

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MS. MARINELLI moved to send the item to the FINANCE & MANAGEMENT COMMITTEE. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 21 – (Intro 9-2) Request by Supreme Court Justice Joseph Makowski - Restorations to County Clerk, Sheriff, & Comptroller

Received and filed.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 22 – MS. MARINELLI moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 8E-8. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 64

Re: Payment In Lieu Of Taxes
(PILOT) Application Agreement &
Regional Development Fund For
GEICO Project

WHEREAS, GEICO has requested assistance from the County of Erie, the Erie County Industrial Development Agency, the Town of Amherst Industrial Development Agency, the Town of Amherst, and the Williamsville Central School District in providing financial incentives necessary for GEICO to locate its new service center in Erie County; and

WHEREAS, the County of Erie, the Town of Tonawanda, the Town of Amherst Industrial Development Agency and the Erie County Industrial Development Agency have entered into a Memorandum of Understanding dated December 15, 2003 regarding this project; and

WHEREAS, the Payment in Lieu of Taxes (PILOT) Application Agreement and the Regional Redevelopment Fund are necessary for the completion of the GEICO project and the North Youngmann Commerce Center project,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into the Payment in Lieu of Taxes (PILOT) Application Agreement and any other necessary agreements with the Town of Amherst Industrial Development Agency (AIDA), the Town of Amherst, and the Williamsville Central School District for the GEICO project; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into the Fund Administration Agreement or other agreements with the Erie County Industrial Development Agency (ECIDA) and the Town of Amherst Industrial Development Agency (AIDA); and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the County Executive; the Director of the Division of Budget, Management and Finance; the Commissioner of the Department of Environment and Planning; and the County Comptroller.

MS. MARINELLI moved for approval of the resolution. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 23 – MS. MARINELLI moved for a suspension of the rules to include an item not on the agenda. MR. DEBENEDETTI seconded.

GRANTED.

CHAIRMAN HOLT directed the following item be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Comm. 9E-17 From LEGISLATOR DUSZA – Re: Letter to Personnel Commissioner Re: Laid-Off Sheriff's Department Officers

Item 24 – MS. MARINELLI moved for a suspension of the rules to include an item not on the agenda. MR. DEBENEDETTI seconded.

GRANTED.

CHAIRMAN HOLT directed the following item be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Comm. 9M-7 From STATE SUPREME COURT JUSTICE JOSEPH MAKOWSKI – Re: Copy of Letters From Various Parties Re: EC 2005 Budget

Item 25 – MS. MARINELLI moved for a suspension of the rules to include an item not on the agenda. MR. DEBENEDETTI seconded.

GRANTED.

CHAIRMAN HOLT directed the following item be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Comm. 9E-17 from the TOWN OF ELMA – Re: Certified Resolution Re: Elma Meadows

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 26 – (Comm. 9E-1) Certificate of Determination - Relative to Authorization, Issuance, Form & Content, Sale and Award of an \$80 Million RAN

Item 27 – (Comm. 9E-2) Letter to Holt, Swanick, & DeBenedetti Re: Financial Responsibilities

Item 28 – (Comm. 9E-3) Letter to ECL Re: Amount of 2005 Budget Deficit

The above three items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE SHERIFF

Item 29 – (Comm. 9E-4) 2005 Budget Adjustments

Received and filed.

FROM LEGISLATOR KENNEDY

Item 30 – (Comm. 9E-5) Copy of Letter to Local Delegation to State Legislature Re: State Under Funding of Probation Department

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMPTROLLER

Item 31 – (Comm. 9E-6) Copy of Memo to Budget Director Re: Pension

Item 32 – (Comm. 9E-7) Letter to ECL Re: Deficit Financing

The above two items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 33 - MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 65

Re: Health & DPW - Budgetary
Adjustments (Comm. 9E-8)

WHEREAS, the fiscal year 2005 Adopted Budget for the Department of Health includes the elimination of approximately 179 positions across five divisions which amounts to over 40% of County funded positions, and

WHEREAS, one of the results of this budget was the elimination of funding for medical and dental services at the Jesse Nash Health Center and the Dr. Matt Gajewski Human Services Center, and

WHEREAS, the Department of Health desires to continue to provide these valuable public health services for the thousands of citizens of Erie County who utilize them, and

WHEREAS, the Department of Public Works sustained similar budget cuts which resulted in their inability to keep the Jesse Nash Health Center and the Dr. Matt Gajewski Human Services Center open, and

WHEREAS, in order to continue to provide services at Jesse Nash Health Center and the Dr. Matt Gajewski Human Services Center positions in the Department of Health and the Department of Public Works and operating expenses must be restored, and

WHEREAS, this resolution will allow the continuation of operations for six months to allow for an orderly transition to a permanent plan, and

WHEREAS, these operations are partially funded through New York State Aid, patient fees and insurance payments, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the following budgetary adjustments in the 2005 Budget of the Department of Health in order to meet the requirements for continuing the operation of the Jesse Nash Health Center and the Dr. Matt Gajewski Human Services Center for a six-month period to be budgeted as follows:

Increase SAP Account 500000 Personal Services	\$170,633
Increase SAP Account 505000 Office Supplies	\$ 1,000
Increase SAP Account 505800 Medical Supplies	\$ 14,000
Increase SAP Account 506200 Maintenance & Repair	\$ 2,000
Increase SAP Account 516020 Professional Service Contracts & Fees	\$173,000
Increase SAP Account 530000 Other Expenses	\$ 12,000

and be it further

RESOLVED, that the following positions are hereby restored in the 2005 Adopted Budget of the Department of Health for a six-month period:

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- 6 Regular Part Time positions of Registered Nurse, JG N2
- 2 Full Time positions of Clerk Typist, JG 1
- 1 Regular Part Time position of Medical Record Administrator, JG 8
- 2 Full Time positions of Dental Assistants, JG 3
- 2 Full Time positions of Dental Hygienist, JG 5

and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the following budgetary adjustments in the 2005 Budget of the Department of Public Works in order to meet the requirements for continuing the operation of the Jesse Nash Health Center and the Dr. Matt Gajewski Human Services Center for a six-month period to be budgeted as follows:

Increase SAP Account 500000 Personal Services	\$61,250
Increase SAP Account 516020 Professional Services Contracts & Fees	\$62,500

and be it further

RESOLVED, that the following positions are hereby restored in the 2005 Adopted Budget of the Department of Public Works for a six-month period:

- 1 Full Time position of Head Laborer, JG 4
- 1 Full Time position of Watch Attendant, JG 3
- 2 Full Time positions of Laborer, JG 3
- 2 Part Time positions of Laborer, JG 3

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Executive, the Department of Health, the Department of Personnel, the Department of Public Works, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.

MS. MARINELLI moved to amend the resolution. MR. DEBENEDETTI seconded. LEGISLATORS CUSACK, MARSHALL, McCARVILLE, RANZENHOFER, & WEINSTEIN voted in the negative.

CARRIED (10-5).

DELETE THE RESOLUTION IN ITS ENTIRETY AND REPLACE WITH THE FOLLOWING.

WHEREAS, the fiscal year 2005 Adopted Budget for the Department of Health includes the elimination of approximately 179 positions across five divisions which amounts to over 40% of County funded positions, and

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WHEREAS, one of the results of this budget was the elimination of funding for medical and dental services at the Jesse Nash Health Center and the Dr. Matt Gajewski Human Services Center, and

WHEREAS, the Department of Health desires to continue to provide these valuable public health services for the thousands of citizens of Erie County who utilize them, and

WHEREAS, the Department of Public Works sustained similar budget cuts which resulted in their inability to keep the Jesse Nash Health Center and the Dr. Matt Gajewski Human Services Center open, and

WHEREAS, in order to continue to provide services at Jesse Nash Health Center and the Dr. Matt Gajewski Human Services Center positions in the Department of Health and the Department of Public Works and operating expenses must be restored, and

WHEREAS, this resolution will allow the continuation of operations for six months to allow for an orderly transition to a permanent plan, and

WHEREAS, these operations are partially funded through New York State Aid, patient fees and insurance payments,

NOW, THEREFORE, BE IT

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Increase SAP Account 506200 Maintenance & Repair	\$2,000
Increase SAP Account 516020 Professional Service Contracts & Fees	\$173,000
Increase SAP Account 530000 Other Expenses	\$12,000

and be it further

RESOLVED, that the following positions are hereby restored in the 2005 Adopted Budget of the Department of Health for a six-month period:

6 Regular Part Time positions of Registered Nurse, JG N2
 2 Full Time positions of Clerk Typist, JG 1
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Increase SAP Account 500000 Personal Services	\$61,250
Increase SAP Account 516020 Professional Services Contracts & Fees	\$62,500

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RESOLVED, that the following positions are hereby restored in the 2005 Adopted Budget of the Department of Public Works for a six-month period:

- 1 Full Time position of Head Laborer, JG 4
- 1 Full Time position of Watch Attendant, JG 3
- 2 Full Time positions of Laborer, JG 3
- 2 Part Time positions of Laborer, JG 3

and be it further

RESOLVED, that the amount of \$347,468.10 shall be deducted from the Countywide Contingency Account, and be it further

RESOLVED, that State Aid in the amount of \$148,914.90 is increased in the Department of Health, and be it further

RESOLVED, that the Division of Budget, Management, and Finance adjust the various accounts as needed to reflect the restorations listed above, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Executive, the Department of Health, the Department of Personnel, the Department of Public Works, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.

MS. MARINELLI moved to further amend the resolution. MR. DeBENEDETTI seconded. LEGISLATORS CUSACK, MARSHALL, McCARVILLE, RANZENHOFER, & WEINSTEIN voted in the negative.

CARRIED (10-5).

ADD THE FOLLOWING CLAUSES AFTER THE FINAL WHEREAS:

WHEREAS, one of the results of this budget was the elimination of funding for medical at the Roberto Clemente Center at 104 Maryland, and

MEETING NO. 9**March 17, 2005****ERIE COUNTY LEGISLATURE**

WHEREAS, this resolution will allow the continuation of operations for three (3) months at the Roberto Clemente Center to allow for an orderly transition to a permanent plan,

ADD THE FOLLOWING BEFORE THE FINAL RESOLVED:

RESOLVED, that the Erie County Legislature hereby authorizes the following budgetary adjustments in the 2005 Budget of the Department of Health in order to meet the requirements for continuing the operation of the Robert Clemente Center for a three month period to be budgeted as follows:

Medical Supplies	(505800)	\$3,000
Physician Asst	(516020)	\$1,032
Total		\$4,032

and be it further

RESOLVED, that the following positions are hereby restored in the 2005 Adopted Budget of the Department of Health for a six-month period:

2-PH Nurses	\$23,520
1 Receptionist	\$ 7,260
1 Med Off. Asst.	\$ 6,960

and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the following budgetary adjustments in the 2005 Budget of the Department of Public Works in order to meet the requirements for continuing the operation of the Roberto Clemente Center for three-month period to be budgeted as follows:

Security: Buildings & Grounds \$12,375

and be it further

RESOLVED, that the amount of \$54,147 shall be deducted from the Countywide Contingency Account, and be it further

MS. MARINELLI moved to approve the resolution as amended. MR. DEBENEDETTI seconded. LEGISLATORS CUSACK, MARSHALL, McCARVILLE, RANZENHOFER, & WEINSTEIN voted in the negative.

CARRIED (10-5).

FROM CHAIRMAN HOLT

Item 34 – (Comm. 9E-9) Copy of Letter to County Attorney Re: Amendment E to Comm. 24E-1

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Item 35 – (Comm. 9E-10) Copy of Letter to Budget Director Re: Amendment E to Comm. 24E-1

The above two items are received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 36 – (Comm. 9E-11) Convening ECL for Regular Session On 3/17/05

RECEIVED, FILED, AND PRINTED.

March 14, 2005

The Honorable
Erie County Legislature
92 Franklin Street, 4th Floor Buffalo, NY 14202

Dear Honorable Members:

Pursuant to Rule 2.01 of the Erie County Legislature's Rules of Order, and as a result of the Legislature's March 3, 2005 Regular Session not having been held, I am convening the Legislature's second regular session for March 2005 on Thursday, March 17, 2005, at 2:00 pm.

The deadline for clock-in will be at 11:00 am on Tuesday, March 15, 2005.

George A. Holt
cc: County Executive Comptroller Sheriff
County Clerk
District Attorney County Attorney
All County Departments

Item 37 – (Comm. 9E-12) Establishment of the Citizen's Budget Review Commission of Erie County

RECEIVED, FILED, AND PRINTED.

March 15, 2005

The Honorable
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, NY 14202

Dear Honorable Members:

As you may know, on March 1, 2005, the County Executive signed into law Local Law Intro. 1-2005 (Print No.2) establishing the Citizen's Budget Review Commission.

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Accordingly, under new Section 1814(a) of the Erie County Charter, as amended, I hereby establish the Citizen's Budget Review Commission of Erie County.

A copy of the Local Law is attached for your reference.

Sincerely,

George A. Holt, Jr.
Chairman

Attachment

Cc: County Executive, County Comptroller, County Attorney, Budget Director, Western
New York Chapter, New York State Association of Certified Public Accountants, Erie County
Bar Association, Buffalo AFL-CIO Central Labor Council, Buffalo Niagara Partnership

VIA HAND DELIVERY

Mr. Kevin M. Kelley, Clerk
Erie County Legislature
92 Franklin Street, 4th floor
Buffalo, New York 14202 I

RE: LOCAL LAW No. 2-2005

Dear Mr. Kelley:

Enclosed is a certified copy of the above-mentioned Local Law for your records. We have sent an original certified copy to the Secretary of State for filing. Also enclosed is the original letter from the County Executive to Chairman Holt, dated March 1, 2005 concerning this Local Law. Please call me at extension 2224 with any questions.

Very truly yours,
FREDERICK A. WOLF
Erie County Attorney

BY: GREGORY J. DUDEK
Assistant County Attorney

Enclosure

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March 1, 2005

Chairman George A. Holt, Jr.
Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

RE: Local Law Intro. No.1 -2005

Dear Chairman Holt:

I am returning my approval of Local Law Intro. No.1 -2005 Print #2 with reservations.

I am in agreement with the intent and spirit of the Local Law as stated in my letter addressed to you and copied to all Legislators dated January 27, 2005. Therefore, I am not vetoing the same.

The Budget Director however, requested modification of the language contained within Section 1814 (F) to reflect a more appropriate information flow. Also, given the severe personnel reduction in the Budget Department, they will have difficulty providing the documentation contained within the Local Law notwithstanding the aforementioned issue.

The Budget Director has stated his willingness to work towards accomplishing the intent and spirit of the Local Law to the best of his ability.

JOEL A. GIAMBRA
ERIE COUNTY EXECUTIVE

cc: Kevin M. Kelley. Clerk of the Erie County Legislature

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Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
~~XXXX~~
X~~XXXX~~ of Erie.....
XTown
XVillage

Local Law No.2..... of the year 20.05.

A local law ~~establishing and convening a commission to be known as~~
(Insert Title)
the Citizen's Budget Review Commission of Erie County.

Be it enacted by the ~~Legislature~~
(Name of Legislative Body) of the

County
X~~XXXX~~
XTown of Erie..... as follows:
XVillage

Section 1. AMENDING SECTION 305 OF THE ERIE COUNTY CHARTER.

Section 305. Division of budget and management. There shall be in the office of the county executive a division of budget and management headed by a director of budget and management who shall be appointed by and will serve at the pleasure of the county executive. The director of budget and management shall assist the county executive in the preparation and administration of the operating and capital budgets, in the study of administrative efficiency, in monitoring the productivity of the various administrative units of county government and in the review of the management and performance audits issued by the comptroller. The director of budget and management shall report to the county executive on the implementation of such audit recommendations and his actions pertaining to efficiency and productivity monitoring.

All reference contained in this charter to the budget director shall be deemed to refer to the director of budget and management.

Section 2. CREATING NEW SECTION 1814 OF THE ERIE COUNTY CHARTER.

Section 1814 (a). The Citizens' Budget Review Commission.

The Citizens' Budget Review Commission shall be established to assist and advise the Erie County Legislature in the oversight of the County's Budget and to monitor County finances, ensure the long-term fiscal stability of Erie County, prevent the concealment of County

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deficits, and to help provide the Legislature with enough time and information to respond to budgetary problems.

Upon the adoption of this Local Law the Erie County Legislature hereby creates a Citizens' Budget Review Commission of Erie County to be established on or before March 15, 2005.

Section 1814 (b). Commission Purview and Reporting.

The Citizens' Budget Review Commission shall study the fiscal operations of the County of Erie in their full scope. The Commission shall provide regular reports to the Legislature at the conclusion of each fiscal quarter, and shall submit an annual report, which shall include its findings, conclusions, and recommendations for appropriate budgetary action to the County Legislature. The Commission shall file its annual report with the Erie County Legislature annually on or before October 15.

Section 1814 (c). Membership; Terms; Vacancies.

The Citizens' Budget Review Commission shall be composed of eleven (11) voting members, who shall be residents of Erie County. Such members shall be appointed by the Erie County Legislature upon recommendation from the following entities:

- A. One (1) member shall be recommended and appointed by the Erie County Executive.
- B. One (1) member shall be recommended annually by the Chair of the Erie County Legislature and confirmed by the Legislature.
- C. One (1) member shall be recommended annually by the Majority Leader on behalf of the majority members of the Erie County Legislature and confirmed by the Legislature.
- D. One (1) member shall be recommended annually by the Minority Leader on behalf of the minority members of the Erie County Legislature and confirmed by the Legislature.
- E. One (1) member shall be appointed who has professional experience as a certified public accountant. After receiving a list of at least three qualified candidates who have been recommended by the Western New York chapter of the New York State Association of Certified Public Accountants, the Legislature shall then appoint one individual from this list to the Commission.
- F. One (1) member shall be appointed who has professional experience in the banking and finance industry. After receiving a list of at least three qualified candidates who have been recommended by banking institutions and credit unions located within Erie County, the Legislature shall then appoint one individual from this list to the Commission.
- G. One (1) member shall be appointed who is an attorney-at-law, particularly with experience in local government law and/or finance. After receiving a list of at least three qualified candidates who have been recommended by the Bar Association of Erie County, the Legislature shall then appoint one individual from this list to the Commission.
- H. One (1) member shall be appointed who has professional experience with

- organized labor. After receiving a list of at least three qualified candidates who have been recommended by Buffalo AFL-CIO Central Labor Council, the Legislature shall then appoint one individual from this list to the Commission.
- I. One (1) member shall be appointed from the Erie County business community. After receiving a list of at least three qualified candidates who have been recommended by the Buffalo Niagara Partnership, the Legislature shall then appoint one individual from this list to the Commission.
 - J. Two (2) members shall be appointed by the Erie County Legislature based upon recommendations from the public and shall be construed to represent a cross-section of the County's diverse population and a depth of appropriate experience and expertise.
 - K. The Comptroller of the County of Erie shall be an ex-officio, non-voting member of the Commission. Only the Comptroller, not a designee, shall be seated on the Commission.
 - L. The Director of Budget and Management shall be an ex-officio, non-voting member of the Commission. Only the Director of Budget and Management, not a designee, shall be seated on the Commission.
 - M. The Erie County Attorney shall be an ex-officio, non-voting member of the Commission. Only the Erie County Attorney, not a designee, shall be seated on the Commission.

With the exception of ex-officio members of the Commission, no member of the Commission shall hold public office, political office, be an employee of the County, nor be a member of another County Board or Commission during the term of his/her appointment to the Citizens' Budget Review Commission of Erie County.

The term of office for all members of the Commission, with the exception of ex-officio members, shall be one (1) year. Such appointments may be renewed annually for up to five (5) years. Any vacancy resulting from a cause other than the expiration of a term shall be filled only for the unexpired portion of the term.

Members shall serve without compensation. Staff support shall be provided by the staff of the Erie County Legislature under the direction of the Clerk of the Erie County Legislature. Additional technical or professional services support and assistance may be provided without compensation by volunteers and/or firms or organizations with appropriate expertise and knowledge. Only through and after a majority vote of the Commission's voting membership may such volunteers or organizations assist the Commission.

Section 1814 (d). Officers.

The Commission shall elect, from its membership (excluding ex-officio members), its own chairperson for a term of one year. The Commission shall also elect from its membership (excluding ex-officio members), a vice-chairperson, who shall serve as chairperson in the chairperson's absence. Finally, the Commission shall elect from its membership (excluding ex-officio members), a secretary, who shall serve to record the minutes of the Commission's proceedings.

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Section 1814 (e). Meetings.

The Commission shall hold monthly public meetings to review the County's finances, including year-to-date and year-end projections for the County Budget. In addition to these monthly public meetings, the Citizens' Budget Review Commission shall meet as needed to carry out its mission as established in this local law, as well as to carry out guidelines and work assignments subsequently requested by the Erie County Legislature. All meetings of the Commission shall be subject to the Open Meetings Law. However, nothing herein shall be construed to limit the ability of the Commission from meeting in executive session. Meetings shall be held on such days and at such hours so as to encourage the maximum amount of public awareness and shall be announced to the public through the media. Minutes of the proceedings and records of the Commission shall be clocked-in to the Erie County Legislature and are to be made available to the public for inspection during regular business hours.

Section 1814 (f). Powers of the Commission and Information Available to Commission.

The Commission shall have the power to make such studies and investigations into the County's budget and finances as it deems to be in the best interest of the county. In connection therewith, the Commission shall have the power to obtain technical information, including monthly budget reports, relating to the County's budget and finances from the Comptroller of the County, the County Executive, and his appointed Director of Budget and Management, as well as to request witnesses and the production of books, papers and other evidence, deemed necessary or material to the study or inquiry of the County's finances.

In addition to any other information requested by the Commission, the Director of Budget and Management shall submit to the Commission monthly budget reports. Such reports shall be due on or before the last calendar day of the subsequent calendar month, and shall include a detailed report of budgeted or projected revenues and expenditures with actual and accrued revenues and expenditures, a comprehensive narrative commentary to explain and justify variances in budgeted and actual revenues and expenditures, and a year-end forecast showing projected gains and losses for the year, including the use of fund balance.

Section 1814 (g). Failure to Provide Timely Information.

Should the County Executive, his appointed Director of Budget and Management, or anyone fail to provide information including but not limited to the budget reports requested in sub-section (f) above, the Chair of the Commission shall notify the Clerk of the Erie County Legislature and the Chair of the Erie County Legislature, in writing, and the Chair of the Legislature shall compel that such information be provided to the Commission by exercising the powers available to the Legislature, in particular those powers to subpoena and require the production of evidence as outlined in article 2, section 202, paragraph h of Local Law No. 1-1959, as amended, constituting the Erie County Charter.

Section 3. SEVERABILITY.

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If any clause, sentence, paragraph, subdivision, section, or part this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part this law or in its application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 4. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the Secretary of State pursuant to Section 27 of the New York State Municipal Home Rule Law, provided, however that the provisions of this local law shall expire and be deemed repealed on and after January 1, the year two thousand and seven.

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(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, ~~not disapproval or reapproval~~ by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2005 of the (County)(City)(Town)(Village) of Erie was duly passed by the ~~Erie County Legislature~~ Erie County Legislature on ~~Feb. 3~~ Feb. 3 2005, and was (approved)(~~not approved~~)(repassed after disapproval) by the Erie County Executive and was deemed duly adopted on March 1 2005 in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*

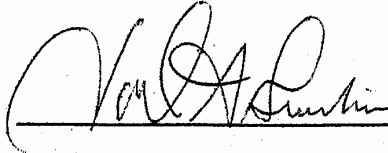
4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

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A Public Hearing was held on the foregoing Erie County Local Law Intro. No. 1-2005, Print No. 2, on Wednesday, February 23, 2005, due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this 1 day of MARCH, 2005



A Public Hearing was held on the foregoing Erie County Local Law Intro No. 1-2005, Print No. 2, on Wednesday, February 23, 2005, due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby DISAPPROVE and VETO said Local Law this _____ day of _____, 2005.

FROM LEGISLATOR MARINELLI

Item 38 – (Comm. 9E-13) Copy of Letter to Orchard Park Town Supervisor Re: Erie County Association of Governments

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 39 – (Comm. 9E-14) Preparation of the 2005 Erie County Budget Monitoring Reports

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 40 – (Comm. 9E-15) Parks - Operating & Generating Revenue for Grover Cleveland & Elma Meadows Golf Courses

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 41 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 66

DPW - Rearrangement of Personnel
 in the Division of Building &
 Grounds (Comm. 9E-16)

WHEREAS, your Honorable Body has passed the 2005 budget and the cuts to the Department of Public Works, Division of Buildings & Grounds are known, and

WHEREAS, a major reorganization of one segment of that Division is being undertaken, and

WHEREAS, in examining the Mechanical segment of the Division, it has been determined that too many upper level supervisors remain when compared to the number of people able to perform repair type work,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorizes the deletion of three (3) Assistant Stationary Engineers (JG 5; Position numbers 543, 544, 545), two (2) Supervising Maintenance Mechanics – Construction (JG 11; Position Numbers 10144, 10142, and one (1) Assistant Supervising Maintenance Mechanic/Electrical (JG 8, Position Number 552), and be it further,

RESOLVED, that the Erie County Legislature authorizes the establishment of five (5) Stationary Engineers (JG 7), one (1) Assistant Supervising Maintenance Mechanic/Buildings (JG 8), and one (1) Laborer (RPT) (JG 3), and be it further,

RESOLVED, that two certified copies of this resolution shall be forwarded to the Commissioner of Public Works, one certified copy to the Office of the County Executive, the Commissioner of Personnel, the Director of Budget Management & Finance, and the Office of the Comptroller.

MS. MARINELLI moved to amend the resolution. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

DELETE THE RESOLUTION IN ITS ENTIRETY AND REPLACE WITH THE FOLLOWING:

WHEREAS, your Honorable Body has passed the 2005 budget and the cuts to the Department of Public Works, Division of Buildings & Grounds are known, and

WHEREAS, a major reorganization of one segment of that Division is being undertaken, and

WHEREAS, in examining the Mechanical segment of the Division, it has been determined that too many upper level supervisors remain when compared to the number of people able to perform repair type work, and

WHEREAS, in accordance with the Collective Bargaining Agreement, we cannot fill any Part-time or Regular Part- Time Laborer positions, and

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WHEREAS, it was anticipated during the budget process that these positions would remain and would be used for cleaning the Courts, and

WHEREAS, without these positions filled, we will not have enough employees to clean the Courts and thus have fines imposed on us,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorizes the deletion of three (3) Assistant Stationary Engineers (JG 5; Position numbers 543, 544, 545), two (2) Supervising Maintenance Mechanics - Construction (JG 11; Position Numbers 10144, 10142, and one (1) Assistant Supervising Maintenance Mechanic/Electrical (JG 8, Position Number 552), and be it further,

RESOLVED, that the Erie County Legislature authorizes the establishment of five (5) Stationary Engineers (JG 7) and one (1) Assistant Supervising Maintenance Mechanic/Buildings (JG 8), and be it further,

RESOLVED, that the Erie County Legislature authorizes the deletion of ten (10) Laborers RPT JG 3), and twenty-six (26) Laborers PT (JG3), and be it further,

RESOLVED, that the Erie County Legislature authorizes the establishment of fifteen (15) Laborers FT, and be it further,

RESOLVED, that two certified copies of this resolution shall be forwarded to the Commissioner of Public Works, one certified copy to the Office of the County Executive, the Commissioner of Personnel, the Director of Budget Management & Finance, and the Office of the Comptroller.

MS. MARINELLI moved to approve the resolution as amended. MR. SWANICK seconded. LEGISLATOR KENNEDY voted in the negative.

CARRIED (14-1).

COMMUNICATIONS FROM THE DEPARTMENTS

FROM ERIE COMMUNITY COLLEGE

Item 42 – (Comm. 9D-1) Notice of Meeting of the Board of Trustees To Be Held 3/16/05

Received and filed.

FROM THE COUNTY ATTORNEY

Item 43 – (Comm. 9D-2) Memo to Clerk of the Legislature Re: Legal Opinion Re: Comm. 9E-9

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM BUDGET, MANAGEMENT & FINANCE

Item 44 – (Comm. 9D-3) Letter to Chairman Holt Re: Comm. 9E-10

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM ROBERT J. LICHTENTHAL, JR.

Item 45 – (Comm. 9M-1) Letter to Chairman Holt Re: Request For Consideration For Reappointment As Commissioner of ECWA

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE MAYOR OF BUFFALO

Item 46 – (Comm. 9M-2) Letter to Chairman Holt Re: Nominations for Appointment to the Board of Trustees of the BECPL

Received and referred to the COMMUNITY SERVICES COMMITTEE.

FROM LEGAL AID BUREAU OF BUFFALO, INC.

Item 47 – (Comm. 9M-3) Unaudited Financial Statements for 10-Month Period Ending 10/31/04

Received and referred to the COMMUNITY SERVICES COMMITTEE.

FROM THE MAYOR OF BUFFALO

Item 48 – (Comm. 9M-4) Letter to Chairman Holt Re: Nominations for Appointment to the Board of Trustees of the BECPL

Received and referred to the COMMUNITY SERVICES COMMITTEE.

FROM THE CITY OF BUFFALO COMMON COUNCIL

Item 49 – (Comm. 9M-5) Seeking Comments And/Or Recommendations on Common Affairs Council Item "Special Events Permits"

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NFTA

Item 50 – (Comm. 9M-6) Minutes of Board Meeting Held 1/24/05

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Received and filed.

MEMORIAL RESOLUTIONS

Item 51 – Mr. Dusza requested that when the Legislature adjourns, it do so in memory of Ronald Moleski.

ADJOURNMENT

Item 52 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MS. MARINELLI moved that the Legislature adjourn until Thursday April 7, 2005 at 2 p.m. Eastern Standard Time. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday April 7, 2005 at 2 p.m. Eastern Standard Time.

**KEVIN M. KELLEY
CLERK**