

ERIE COUNTY LEGISLATURE
MEETING NO. 22
SPECIAL MEETING
NOVEMBER 23, 2010

The Legislature was called to order by Chair Miller-Williams.

All members present.

An Invocation was held, led by Mr. Mills, who requested a moment of silence.

The Pledge of Allegiance was led by Ms. Whyte.

COMMITTEE REPORTS

Item 1 – MS. WHYTE presented the following report and moved for immediate consideration. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 231

Following recess, reconvened on November 23, 2010	FINANCE, MANAGEMENT & BUDGET COMMITTEE REPORT NO. 1
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ALL MEMBERS PRESENT.

CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received & filed:

- a. Amendment to Comm. 17E-1 (2010)
HARDWICK
(7-1) Legislator Hardwick voted in the negative.
- b. Amendment to Comm. 17E-1 (2010)
RATH & DIXON
(8-0)

2. COMM. 17E-1 (2010)
COUNTY EXECUTIVE AS AMENDED
(See Attached Amendments)

RESOLVED, the Erie County Legislature does hereby approve the Erie County Executive's Tentative 2011 Erie County Budget with the amendments attached hereto.
(8-0)

3. RESOLVED, all remaining items are hereby tabled.

BARBARA MILLER-WILLIAMS
AS CHAIR OF THE ERIE COUNTY LEGISLATURE

Attachment:
2011 Budget Resolutions - Legislature's Proposals

AMENDMENT A – authorizes the Budget Director to adjust certain grant appropriations and revenues subject to prior approval of the Legislature.

AMENDMENT B – authorizes the Budget Director to adjust interdepartmental billing account subject to prior approval of the Legislature.

AMENDMENT C – authorizes the Budget Director to adjust fringe benefit accounts subject to prior approval of the Legislature.

AMENDMENT D – requires the Legislature to hold a public hearing regarding Road Repair Fund spending on or before February 15, 2011.

AMENDMENT E – prohibits the County Executive from giving variable minimums without prior legislature approval.

AMENDMENT F – authorizes the Budget Director to adjust the budget to reflect the termination of the contract with the City of Buffalo to provide lock-up services with prior legislative approval.

AMENDMENT G – authorizes the County Executive to enter contracts for the housing of prisoners subject to prior legislative approval.

AMENDMENT H – authorizes the County Executive to enter contracts for certain mental health services with prior legislative approval.

AMENDMENT I – authorizes the County Executive to enter into contracts with food service vendor at Youth Detention Center subject to prior approval by the Legislature.

AMENDMENT J – authorizes the County Executive to enter into contract with Lisa Gebauer Smith, for services at congregate dining sites with prior legislative approval.

AMENDMENT K – establishes the rate of pay for election inspectors to be re-set in the Spring of 2011 to the previously established amount of \$170/per day.

AMENDMENT L – requires monthly vacancy reports to be filed with the Legislature.

AMENDMENT M – requires the Legislature to hold Mid-Year Budget Hearings.

AMENDMENT N – is the 2011 Budget Accountability Act.

AMENDMENT O – authorizes the establishment of certain salary levels for Legislature District Office personnel.

AMENDMENT P – regarding the allocation of Prime Time funds.

AMENDMENT Q – directing \$50,000 in Municipal Association Fees to be used to pay the 2011 NYSAC dues.

AMENDMENT R – opposing the direction of ARRA FMAP funds into undesignated reserves.

AMENDMENT S – authorizes the Director of Budget and Management to renumber budget resolutions where appropriate and deliver certified copies of 2011 budget to certain persons.

Budget Resolution
Amendment A
October 26, 2010

DELETE THE RESOLVE CLAUSE IN BUDGET RESOLUTION #3 in its ENTIRETY and REPLACE with the following:

RESOLVED, that the Director of Budget and Management is hereby authorized subject to prior legislative approval to adjust grant appropriations and revenues in accordance with the final grantor funding levels or grantor authorized changes to award amounts, provided there are no changes to authorized personnel and county share amounts.

Budget Resolution
Amendment B
October 26, 2010

DELETE BUDGET RESOLUTION #4 in its ENTIRETY and REPLACE with the following:

WHEREAS, interdepartmental billings between county departments represent the cost that a department incurs for services provided to another department or grant and are used in part to maximize revenue in departments that are eligible for reimbursement; and

WHEREAS, interdepartmental billing accounts cannot be used to purchase goods or supplies and therefore cannot be utilized to increase expense.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of Budget and Management is hereby authorized subject to prior legislative approval to adjust interdepartmental billing accounts as may be required to effectively indicate the cost of an interdepartmental service relationship between departments, so long as such adjustment does not increase cost.

Budget Resolution

Amendment C
October 26, 2010

DELETE BUDGET RESOLUTION #5 in its ENTIRETY and REPLACE with the following:

RESOLVED, that subject to prior legislative approval the Director of Budget and Management is hereby authorized to adjust budgeted fringe benefit accounts between departmental budgets as may be required to accurately represent the true cost of fringe benefit expense, however such adjustment shall in no way increase cost.

Budget Resolution
Amendment D
October 26, 2010

DELETE THE THIRD WHEREAS CLAUSE IN BUDGET RESOLUTION #8 in its ENTIRETY and REPLACE with the following:

WHEREAS, the Erie County Legislature shall hold a hearing on such appropriation on or before February 15, 2011.

Budget Resolution
Amendment E
October 26, 2010

DELETE BUDGET RESOLUTION #9 in its ENTIRETY and REPLACE with the following:

RESOLVED, when it is impossible to recruit personnel through the regular channels for certain positions, the County Executive is hereby authorized to fill such positions temporarily at a per diem or other rate not in excess of the salary provided in the budget. The Commissioner of Personnel, with the approval of the County Executive and subject to prior legislative approval, is authorized to recruit at a higher increment level within the position salary range in cases where there are difficulties in recruitment.

Budget Resolution
Amendment F
October 26, 2010

DELETE BUDGET RESOLUTION #29 in its ENTIRETY and REPLACE with the following:

WHEREAS, in 2003 the County of Erie entered into agreement to provide pre-arraignment lock-up services at the Erie County Holding Center for City of Buffalo arrestees; and

WHEREAS, the agreement provided reimbursement to the County of Erie from the City of Buffalo for services rendered; and

WHEREAS, the reimbursement provided by the City has not been sufficient to cover the true cost of service rendered under said agreement, which has been confirmed by audits performed by the Erie County Comptroller; and

WHEREAS, because the County Executive determined that it would be in the best interest of the County to terminate said agreement, and has therefore negotiated with the City of Buffalo to end the provision of lock-up services at the Holding Center; and

WHEREAS, the 2011 Budget has been adjusted to provide for the anticipated termination of lock-up services at the Holding Center on October 1, 2011.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of Budget and Management, with prior legislative approval, is hereby authorized to make adjusting entries to the 2011 Budget as required to reflect the termination of Buffalo lock-up services at the Erie County Holding Center; and be it further

RESOLVED, that upon the termination of the contract with the City of Buffalo for the provision of pre-arraignment lock-up services, the Director of Budget and Management and the Commissioner of Personnel, with prior legislative approval, are hereby authorized to eliminate all Holding Center positions and any personnel that will no longer be required for the provision of Buffalo lock-up services.

Budget Resolution
Amendment G
October 26, 2010

DELETE THE THIRD RESOLVE of BUDGET RESOLUTION #30 in its ENTIRETY and REPLACE with the following:

RESOLVED, that upon the recommendation of the Sheriff, the County Executive subject to legislative approval, is hereby authorized to enter into contract with other New York State counties for the housing of Erie County prisoners as may be required by the New York State Commission of Corrections.

Budget Resolution
Amendment H
October 26, 2010

DELETE the RESOLVE CLAUSES in BUDGET RESOLUTION #41 in their ENTIRETY and REPLACE with the following:

RESOLVED, that the County Executive is hereby authorized, with prior legislative approval, to enter into contract with grantors, New York State and the United States Department of Health and Human Services, and sub-contract agencies for the SPOA: Children's Intensive

Community Services grant, 124SPOA2011, which are included in the 2011 County Budget; and be it further

RESOLVED, that authorization is granted, with legislative approval, to transfer appropriations between sub-account amounts within the respective project to reflect the outcome of negotiations between grantors and with sub-contract agencies; and be it further

RESOLVED, that authorization is hereby given with legislative approval for further revisions, including changes to the approved project total amounts, in accordance with state or federal government grantor approval.

Budget Resolution
Amendment I
October 26, 2010

DELETE THE FIRST RESOLVE OF BUDGET RESOLUTION #46 in its ENTIRETY and REPLACE with the following:

RESOLVED, that subject to prior legislative approval the County Executive is authorized to execute a contract or contracts with food service vendors as selected by a review team that best provides assurance for the nutritional and quality standards for meals for facility residents; and be it further

Budget Resolution
Amendment J
October 26, 2010

DELETE BUDGET RESOLUTION #57 in its ENTIRETY and REPLACE with the following:

RESOLVED, that the County Executive be, and hereby is, authorized subject to prior legislative approval, to execute a contract between the County of Erie and Lisa Gebauer Smith, a registered dietician for the period of January 1, 2011 through December 31, 2011 under the Congregate Dining Nutrition Program grant to provide nutrition education, nutrition counseling, commissary monitoring and congregate dining monitoring services at the Congregate Dining sites in Erie County, in an amount not to exceed the amount appropriated in this budget.

Budget Resolution
Amendment K
October 26, 2010

DELETE BUDGET RESOLUTION #69 in its ENTIRETY and REPLACE with the following:

RESOLVED, that the rate of pay for election inspectors employed by the Erie County Board of Elections is established for 2011 at a rate of up to \$170.00 per day.

**Budget Resolution
Amendment L
October 26, 2010**

ADD the following BUDGET RESOLUTION after the last BUDGET RESOLUTION:

RESOLVED, that the Commissioner of Personnel and the Director of Budget and Management are directed to file monthly reports with the Clerk of the Erie County Legislature identifying all vacant funded positions and such reports shall include the length of time each position has been vacant, the salary for each position, the source of funding for each vacant position and the County's share of the funding for each position.

**Budget Resolution
Amendment M
October 26, 2010**

ADD the following BUDGET RESOLUTION after the last BUDGET RESOLUTION:

RESOLVED, that the Erie County Legislature shall hold mid-year budget hearings for the express purpose of monitoring the Administration's management of the budget on a department by department basis; such hearings shall include a review of the performance and efficiency of all county departments and agencies.

**Budget Resolution
Amendment N
October 26, 2010**

ADD the following "2011 BUDGET ACCOUNTABILITY ACT" after the last Budget Resolution:

WHEREAS, the Erie County Legislature recognizes the importance of the tourism industry to Erie County and, as such, has dedicated substantial government resources to support this important sector of our economy; and

WHEREAS, the amount of funds appropriated to the Buffalo Niagara Convention and Visitors Bureau will be three million, two hundred and fifty thousand (\$3,250,000.00) dollars for 2011; and

WHEREAS, the amount of funds appropriated to the Buffalo Convention Center will be one million six hundred and fifty dollars (\$1,650,000.00) for 2011; and

WHEREAS, the Erie County Legislature is also providing significant resources to the Erie Niagara Regional Partnership which provides a valuable community service; and

WHEREAS, the Erie County Legislature is also providing significant resources to the Cooperative Extension Service of Erie County and the Erie County Soil and Water Conservation District; and

WHEREAS, the Erie County Legislature is providing significant resources to the Buffalo Olmsted Parks Conservancy; and

WHEREAS, the Erie County Legislature is providing significant resources to various arts and cultural organizations throughout Erie County; and

WHEREAS, the allocations of these significant amounts of funding to the above-referenced entities requires that each entity be accountable to the citizens of Erie County to insure that this investment is being well spent and that best practices are being employed.

NOW, THEREFORE, BE IT

RESOLVED, that the Buffalo Niagara Convention and Visitors Bureau and the Buffalo Convention Center shall each prepare a budget showing how the funds allocated in the 2011 Budget will be spent; and be it further

RESOLVED, that the Buffalo Niagara Convention and Visitors Bureau and the Buffalo Convention Center shall each create a strategic plan with measurable goals and outcomes for 2011; and be it further

RESOLVED, that the Buffalo Niagara Convention and Visitors Bureau and the Buffalo Convention Center provide a copy of their budget and its strategic plans to the Clerk of the Erie County Legislature by February 16, 2011; and be it further

RESOLVED, that the Buffalo Niagara Convention and Visitors Bureau and the Buffalo Convention Center shall file with the Clerk of the Erie County Legislature quarterly reports and updates on the outcomes or results of each of the measurable goals identified in their respective strategic plans; and be it further

RESOLVED, that the Buffalo Niagara Convention and Visitors Bureau shall provide to the Clerk of the Erie County Legislature, by January 30, 2011, a list of all personnel, including titles, job descriptions and salary for each employee of their respective organizations; and be it further

RESOLVED, that the Cooperative Extension Service of Erie County and the Erie County Soil and Water District shall provide a copy of their budget showing how the funds allocated in the 2011 Erie County Budget will be spent to the Clerk of the Erie County Legislature by February 16, 2011; and be it further

RESOLVED, that the Buffalo Olmsted Parks Conservancy shall provide a copy of their budget showing how the funds allocated in the 2011 Erie County Budget will be spent and the source or sources of matching funds received by the Conservancy; and be it further

RESOLVED, that each arts or cultural organization receiving funding from Erie

County in the 2011 Budget shall provide a copy of their budget detailing how the funds allocated to each agency will be spent to the Clerk of the Erie County Legislature by February 16, 2011; and be it further

RESOLVED, that the Erie Niagara Regional Partnership shall provide a copy of its 2011 budget by February 16, 2011 to the Clerk of the Erie County Legislature; and be it further

RESOLVED, that any group or organization receiving funding from the Erie County Legislature may be invited to the Erie County Legislature to discuss their budgets and the valuable community services which they provide to the citizens of Erie County.

Budget Resolution
Amendment O
October 26, 2010

ADD the following BUDGET RESOLUTION after the last BUDGET RESOLUTION:

WHEREAS, the Erie County Legislature is required to authorize the establishment of a variable minimum for the year 2011 for Legislative District Office personnel in order to maintain a fair and consistent salary policy related to District Office employee turnover, in accordance with Erie County Personnel Policy, and to account for the omission of such authorization as a Budget Resolution within the 2011 Adopted Erie County Budget; and

WHEREAS, this District Office salary authorization will have no additional personnel service costs, and will be implemented while remaining within the Legislature's adopted appropriations for 2011.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes a variable minimum step 4 for the position of ADMIN. CLERK – LEGISLATURE (FT); ADMIN. CLERK – LEGISLATURE (RPT); and ADMIN. CLERK – LEGISLATURE (PT), Cost Center 1005017 – District Office Staff, for the year 2011, in accordance with the 2011 Adopted Erie County Budget and Erie County Personnel Policy; effective January 1, 2011.

Budget Resolution
Amendment P
October 26, 2010

ADD the following BUDGET RESOLUTION after the last BUDGET RESOLUTION:

WHEREAS, in previous years the funding allocated by Erie County for the Prime Time Initiative was matched by the State of New York on a two for one basis; and

WHEREAS, this year the State of New York will not provide funding for Prime Time to match county funds in the 2011-2012 state budget to support this critically important youth program; and

WHEREAS, the Erie County Legislature believes the Prime Time program is vitally important for the health, safety and welfare of the youth of Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that it is the express intent of the Erie County Legislature that the funds provided in Fund Center 12530, Account Number 517749 – Youth Bureau for Operation Prime Time be used in 2011 to provide programming activities for the youth of Erie County; and be it further

RESOLVED, that the Commissioner of the Department of Social Services and the Director of the Youth Bureau present to the Erie County Legislature a detailed and specific plan outlining the process and procedure by which these funds will be made available to eligible organizations on or before March 1, 2011.

Budget Resolution
Amendment Q
October 26, 2010

ADD the following BUDGET RESOLUTION after the last BUDGET RESOLUTION:

RESOLVED, that it is the express intent of the Erie County Legislature that \$50,000 of the funds provided in Fund Center 11200, Account No. 516020 be used for the purpose of paying the annual dues for Erie County to the New York State Association of Counties for 2011.

Budget Resolution
Amendment R
October 26, 2010

ADD the following BUDGET RESOLUTION after the last BUDGET RESOLUTION:

WHEREAS, Erie County ended 2009 with a budget surplus of approximately \$44 million which in large part was due to the funding the County received under the America Recovery and Reinvestment Act (ARRA) which lessen the County's Medicaid obligations; and

WHEREAS, the County Executive announced his intention to treat the surplus as fund balance in an effort to close future budget gaps and decrease the need to raise property and or sales taxes; and

WHEREAS, Congresswoman Louise Slaughter directed a letter to the County Executive in June 21, 2010 expressing that, "the intent of the ARRA funding is to put people to work now and to support job seekers as they look to secure employment, not to pad the bank accounts of local governments"; and

WHEREAS, the Congresswomen went on to state in her letter that the fact that the “County Administration’s plans to sequester about \$25 million of this \$44 million surplus amount in Fund Balance for two years or more is not consistent with ARRA’s intent”; and

WHEREAS, the County now faces the layoff of hundreds of employees while retaining these surplus funds that could be used to stave these layoffs.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature goes on record as opposing the use of the ARRA Medicaid funding as undesignated reserve fund balance and instead supports using those stimulus dollars to retain county jobs and provide funding for other county activities including but not limited to fixing roads, bridges and parks, providing funding to Erie Community College for capital improvements, reinstating the Child/Daycare Subsidy Program, allowing County Health Clinics to be fully operational or restoring funding to cultural groups that bring in tourist dollars, all activities that create economic development and jobs in Erie County.

Budget Resolution
Amendment S
October 26, 2010

ADD the following BUDGET RESOLUTION after the last BUDGET RESOLUTION:

RESOLVED, that the Director of Budget and Management is authorized to renumber all Budget Resolutions to include and incorporate budget resolutions approved by the Erie County Legislature; and be it further

RESOLVED, that a certified copy of this budget resolution be sent to the Comptroller, Sheriff, District Attorney, County Clerk and all Erie County Department Heads.

CHAIR MILLER-WILLIAMS directed that Report No. 1 of the FINANCE, MANAGEMENT & BUDGET COMMITTEE lay on the table.

GRANTED.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM CHAIR MILLER-WILLIAMS

Item 2 – (COMM. 22E-1) Calling Special Meeting, Cancelling and Rescheduling Annual Budget Meeting

Received, Filed and Printed.

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, Chair
Erie County Legislature

To: Robert M. Graber, Clerk
From: Barbara Miller-Williams, Chair
Subject: 2010 SCHEDULE OF LEGISLATIVE SESSIONS

*Updated November 19, 2010

JANUARY

7
21

JULY

8
22

FEBRUARY

4
25

AUGUST

Recess

MARCH

4
25

SEPTEMBER

23
30

APRIL

22
29

OCTOBER

14
28

MAY

20
27

NOVEMBER

4
18
30 *Budget at 1:15 P.M.*

JUNE

10
24

DECEMBER

2
14 *Budget Override*
16

All Regular Sessions: Pre-Session Caucuses begin at 9:30 A.M.,
in the Legislative Caucus Room.

All Regular Sessions: Begin at 2:00 P.M., in the Legislature Chambers.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE CLERK OF THE LEGISLATURE

Item 2 – (COMM. 22D-1) Special Meeting Notice, Cancelling and Rescheduling Annual
Budget Meeting

Received, Filed and Printed.

November 19, 2010

TO: ALL MEMBERS OF THE ERIE COUNTY LEGISLATURE

FROM: ROBERT M. GRABER, CLERK

SUBJECT: REVISED SPECIAL MEETING NOTICE, RESCHEDULING ANNUAL MEETING FOR THE ADOPTION OF THE ERIE COUNTY BUDGET

PLEASE TAKE NOTICE 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, and under the direction of Chair Barbara Miller-Williams, there will be a Special Meeting of the Erie County Legislature 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 from 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). Accordingly, please be advised that the Annual Meeting for the Adoption of the Budget has been rescheduled 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; Chair Miller-Williams' letter to me as Clerk directing the calling of the Special Meeting and cancelling and rescheduling the Budget Meetings; and my Memo as Clerk of the Legislature to Members of the Legislature calling the Special Meeting and cancelling and rescheduling the Budget Meetings.

ANNOUNCEMENTS

Item 4 – CHAIR MILLER-WILLIAMS announced that the Annual Budget Meeting of the Erie County Legislature will be held on Tuesday, November 30, 2010, at 1:15 P.M.; and that the deadline for the submission of amendments to the 2011 tentative Erie County budget will be Friday, November 26, 2010 at 1:15 P.M.

Item 5 – MS. GRANT moved to enter the Legislature into recess until Friday, November 26, 2010 at 11:00 A.M. MS. WHYTE seconded. MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH, MR. WALTER, MS. BOVE and CHAIR MILLER-WILLIAMS voted in the negative.

FAILED. (7-8)

*****CHAIR MILLER-WILLIAMS directed that the Legislature enter into recess at 1:45 P.M.; until Tuesday, November 30, 2010 at 1:15 P.M.

*****CHAIR MILLER-WILLIAMS reconvened the Legislature at 1:17 P.M., November 30, 2010.

All members present.

ADJOURNMENT

Item 6 – At this time, there being no further business to transact, CHAIR MILLER-WILLIAMS announced that the Chair would entertain a Motion to Adjourn.

MS. WHYTE moved that the Legislature adjourn until Tuesday, November 30, 2010 at 1:18 P.M. Eastern Standard Time. MR. WALTER seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLER-WILLIAMS declared the Legislature adjourned until Tuesday, November 30, 2010 at 1:18 P.M. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE