

**ERIE COUNTY LEGISLATURE  
SPECIAL MEETING  
MEETING NO. 29  
DECEMBER 22, 2008**

The Legislature was called to order by Chair Marinelli.

All members present, except Mr. Ranzenhofer & Ms. Konst.

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

The Pledge of Allegiance was led by Ms. Whyte.

**LEGISLATOR RESOLUTIONS**

Item 1 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MS. GRANT seconded. MR. MILLS, MR. LOUGHRAN & MR. RATH voted in the negative.

CARRIED. (10-3)

RESOLUTION NO. 391

RE: Resolution to Consider Actions to  
Defend Passage of the Levy and  
Apportion of Erie County Real Property  
Tax - 2009  
(INTRO 29-1)

**A RESOLUTION TO BE SUBMITTED BY  
LEGISLATORS MARINELLI & WHYTE**

WHEREAS, on December 11, 2008 the Erie County Legislature approved INTRO 28-2, “Legal and Fiscal Matters Related to the 2009 Erie County Budget as Adopted by the Erie County Legislature;” and

WHEREAS, pursuant to INTRO 28-2, the Chair of the Legislature has signed a retainer agreement with the law firm Lipsitz Green Scime Cambria LLP in order to provide pre-litigation advice; and

WHEREAS, in order to effectuate payment of said retainer agreement and legal service authorization of this Honorable Body is necessary.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby granted to effectuate the payment of a retainer agreement in the initial amount of \$7,500 with the law firm Lipsitz Green Scime Cambria LLP, and for a potential second payment of \$2,500, for a total amount of \$10,000; and be it further

RESOLVED, that said funding is available and is hereby approved for said payment in the 2008 budget of the Erie County Legislature, to wit:

ERIE COUNTY LEGISLATURE  
FUND 110 – FUND CENTER 100

<u>Fund 110</u>		<u>Amount</u>
Acct. 530000	Other	\$ 7,500 – Initial Payment
Acct. 530000	Other	<u>\$ 2,500</u> – Potential Second Payment
		\$10,000 - TOTAL

and be it further

RESOLVED, that the Clerk of the Erie County Legislature is directed to forward certified copies of this resolution to the Office of the Erie County Comptroller, Office of the Director of Purchase and the Office of Budget, Finance and Management.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 2 – MS. WHYTE moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of COMM. 23E-9 (2008). MR. REYNOLDS seconded. MR. MILLS, MR. LOUGHRAN & MR. RATH voted in the negative.

CARRIED. (10-3)

RESOLUTION NO. 391

RE: Levy and Apportion of EC Real  
Property  
(COMM. 23E-9)

WHEREAS, the Erie County budget for the year 2009 has been adopted.

NOW, THEREFORE, BE IT

RESOLVED, that the amounts in said County budget that are required to be raised by taxes by the Legislature are hereby levied upon and shall be collected from the taxable property situated within the County of Erie and liable therefore, effective January 1, 2009; and be it further

RESOLVED, that the Director of Real Property Tax Services and/or successor to the Commissioner of Finance is hereby directed to apportion said taxes to be raised for such budget against the taxable property liable, therefore, as provided by law; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, Greg Gach, Budget Director, County Comptroller, James L. Tuppen, Asst. County Attorney, and Joseph L. Maciejewski, Director Real Property Tax Services.

MS. WHYTE moved to amend the item. MR. KENNEDY seconded. MR. MILLS, MR. LOUGHRAN & MR. RATH voted in the negative.

CARRIED. (10-3)

Delete the Entire Resolution and Replace with the Following:

WHEREAS, pursuant to Section 202 of the Erie County Charter, the Erie County Legislature is the sole County entity charged with the power and duty to “(1) make appropriations, levy taxes and incur indebtedness;” and

WHEREAS, pursuant to Section 2.02 (1) of the Erie County Administrative Code, the Erie County Legislature “shall have and exercise all the powers and duties now or hereafter conferred or imposed upon it by the county charter, by this code, by local law, by the county law, or by any other applicable law, or by any applicable act of the legislature not inconsistent with the county charter or this code;” and

WHEREAS, pursuant to Section 202 of the Erie County Charter and Section 2.02 (1) of the Erie County Administrative Code, on December 1, 2008, the Erie County Legislature adopted the Erie County Budget for the year 2009 as amended; and

WHEREAS, on December 8, 2008, the County Executive after reviewing the 2009 Budget as amended by the Erie County Legislature issued his veto message related to the 2009 Budget as amended by the Erie County Legislature; and

WHEREAS, Section 2608 (3) of the Erie County Charter states, in relevant part: “The county Legislature shall thereupon enter the objections upon its journal and proceed to reconsider the additions and increases so objected to. If upon such reconsideration two thirds of all members of the county Legislature vote to approve such additions and increases, or any of them, the budget with any additions and increases so approved, together with any additions and increases not so objected to by the county executive, shall be deemed adopted;” and

WHEREAS, on December 9, 2008, pursuant to Section 2608 (3) of the Erie County Charter, the Erie County Legislature, upon receiving the County Executive’s objections to the budget as amended by the Erie County Legislature, entered the County Executive’s objections upon its journal and proceeded to reconsider the additions and increases to which the County Executive objected. The Erie County Legislature also fully considered and reviewed the additional comments offered by the County Executive in his veto message dated December 8, 2008; and

WHEREAS, also on December 9, 2008, after due deliberations of the County Executive’s veto message, pursuant to Section 2608 (3) of the Erie County Charter, at least two thirds of all members of the Erie County Legislature voted to approve the additions and increases to which the County Executive objected, thereby overriding and disapproving all of the vetoes, objections, and all other comments raised in the County Executive’s veto message; and

WHEREAS, pursuant to Section 2608 (3), the amended 2009 Erie County Budget as amended was adopted by the Erie County Legislature; and

WHEREAS, Section 2609 of the Erie County Charter provides in relevant part that “The net county tax requirement, determined by subtracting the total estimated revenues from the total

proposed expenditures as set forth in the adopted budget, **shall be levied in advance by the county Legislature on the taxable real property** of the several tax districts of the county;” and

WHEREAS, the Director of Real Property Tax Services is required by the Erie County Charter and Code to ascertain, spread, enter and/or extend taxes levied by the Erie County Legislature; and

WHEREAS, the total estimated expenditures contained in the Adopted 2009 County Budget approved by the Erie County Legislature are \$1,469,519,804.00, and the total estimated revenues contained in the Adopted 2009 County Budget approved by the Erie County Legislature are \$1,249,931,202.00; and

WHEREAS, the net County tax requirement is \$219,588,602.00 for the year 2009 according to the formula established in the Erie County Charter.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, pursuant to Sections 202 and 2609 of the Erie County Charter, is the only entity permitted under law to levy a county tax on the taxable real property in Erie County; and be it further

RESOLVED, pursuant to the authority set forth above, the Erie County Executive and the Erie County Director of Real Property Tax Services and/or the successor to the Commissioner of Finance must fully implement the property tax levy as established by the Erie County Legislature; and be it further

RESOLVED, that the amounts in the 2009 Erie County Budget as adopted by the Erie County Legislature on December 9, 2008 that are required to be raised by taxes by the Legislature are hereby levied upon and shall be collected from the taxable property situated within Erie County and liable therefore, effective January 1, 2009; and be it further

RESOLVED, that pursuant to the duties and powers that section 202 (1) of the Erie County Charter provides exclusively to the Erie County Legislature, the Erie County Legislature hereby declares, using the formula set forth in Section 2609 of the Erie County Charter, that the total amount of property taxes that shall be levied for the calendar year 2009 shall be no greater than \$219,588,602.00; and be it further

RESOLVED, that the Erie County Legislature hereby levies the 2009 Erie County property tax in an amount no greater than \$219,588,602.00; and be it further

RESOLVED, that the Erie County Director of Real Property Tax Services and/or the successor to the Erie County Commissioner of Finance is hereby directed to apportion such levied taxes to be raised for the County’s 2009 Adopted Budget against that taxable property liable therefore, as provided by law, in an amount not to exceed \$219,588,602.00; and be it further

RESOLVED, that tax warrants implementing the calendar year 2009 Erie County property tax levy of \$219,588,602.00 shall be prepared for the signature of the Chairwoman of the Erie County Legislature and the Clerk of the Erie County Legislature; and be it further

RESOLVED, that the Erie County Director of Real Property Tax Services and/or the successor to the Erie County Commissioner of Finance shall take any and all actions necessary to spread the \$219,588,602.00 county tax as levied by the County Legislature against all taxable property situated within Erie County and liable therefore; and be it further

RESOLVED, that any attempt by the Erie County Director of Real Property Tax Services, or any other official purporting to act on behalf of Erie County, to levy Erie County property taxes for the calendar year 2009 in excess of \$219,588,602.00 is hereby declared unlawful, invalid, and unenforceable as a violation of the applicable provisions of the Erie County Charter and the Erie County Administrative Code; and be it further

RESOLVED, that the Clerk of the Erie County Legislature shall provide certified copies of this resolution to the County Executive, the County Comptroller, the County Attorney, the Director of Budget and Management, the Director of Real Property Tax Services and the Erie County Fiscal Stability Authority.

MS. WHYTE moved to approve the item as amended. MR. MAZUR seconded. MR. MILLS, MR. LOUGHRAN & MR. RATH voted in the negative.

CARRIED. (10-3)

Item 3 – MS. WHYTE moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of COMM. 28E-15 (2008). MS. IANNELLO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 392

RE: 2009 Town Budgets & Special District  
Budgets  
(COMM. 28E-15)

RESOLVED, that the following abstracts of the adopted Town Budgets and Special District Budgets for the year 2009, as certified and presented to this Legislature by the appropriate Town Officers, be printed by the Clerk in the minutes of the proceedings of this Legislature; and be it further

RESOLVED, that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and Districts and liable therefore; and be it further

RESOLVED, that the Director of Real Property Tax Services is hereby directed to spread said taxes to be so raised for such budgets against the taxable property liable therefore as provided by Article VI of the Erie County Tax Act, as amended; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Budget and Management Greg Gach, the County Comptroller, Cheryl Green, the County Attorney and Joseph Maciejewski, Director of Real Property Tax Services.

ALDEN

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	1,446,366.00	798,540.00	647,826.00
General Town Outside	224,581.00	218,500.00	6,081.00
Highway Town Outside	765,655.00	652,400.00	113,255.00
<b>Total Town &amp; Highway</b>	<b>2,436,602.00</b>	<b>1,669,440.00</b>	<b>767,162.00</b>
Fire Protection Dist	665,416.00	11,000.00	654,416.00
Lighting District	88,000.00	10,525.00	77,475.00
Garbage District	400,280.00	39,500.00	360,780.00
Sewer District #1	44,000.00	1,244.00	42,756.00
Sewer District #2	44,725.00	750.00	43,975.00
Water Districts 1,2,3,4	147,100.00	26,550.00	120,550.00
Water #5 (O/D)	3,000.00	-	3,000.00
Water #9 (O/D)	200.00	-	200.00
Delinq. Water	1,879.00	-	1,879.00
Omitted Tax	-	-	-
<b>Total Special Districts</b>	<b>1,394,600.00</b>	<b>89,569.00</b>	<b>1,305,031.00</b>
<b>GRAND TOTALS</b>	<b>3,831,202.00</b>	<b>1,759,009.00</b>	<b>2,072,193.00</b>

AMHERST

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund Town Only	50,882,118.00	33,477,765.00	17,404,353.00
General Fund Village Only	2,241,816.00	697,812.00	1,544,004.00

General Fund Outside Village	5,599,333.00	2,192,530.00	3,406,803.00
Highway Fund Outside Village	10,502,776.00	1,430,894.00	9,071,882.00
Central Alarm	1,449,116.00	321,892.00	1,127,224.00
<b>Total Town &amp; Highway</b>	<b>70,675,159.00</b>	<b>38,120,893.00</b>	<b>32,554,266.00</b>
Community Environment	9,583,383.00	894,052.00	8,689,331.00
Lighting Districts	4,424,550.00	60,000.00	4,364,550.00
Fire Protection District	5,310,437.00	54,950.00	5,255,487.00
Fire Districts	2,822,266.00	-	2,822,266.00
Sanitary Sewer Districts	20,092,605.00	3,903,288.00	16,189,317.00
Storm Sewer Districts	5,703,254.00	449,066.00	5,254,188.00
Water Districts	892,884.00	313,376.00	579,508.00
Community Development	584,236.00	584,236.00	-
H.O.M.E.	1,083,520.00	1,083,520.00	-
<b>Total Special Districts</b>	<b>50,497,135.00</b>	<b>7,342,488.00</b>	<b>43,154,647.00</b>
Delinquent Water - ECWA	12,993.63	-	12,993.63
Delinquent Water - Vlg	1,622.05	-	1,622.05
Code Violations	7,063.87	-	7,063.87
Sidewalks	7,851.01	-	7,851.01
Pretreatment Surcharge	217,494.00	-	217,494.00
Omitted Tax	-	-	-
<b>Total Special Assmts</b>	<b>247,024.56</b>	<b>-</b>	<b>247,024.56</b>

Grand Totals	121,419,318.56	45,463,381.00	75,955,937.56
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**AURORA**

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	2,870,269.00	1,521,543.00	1,348,726.00
General Town Outside	1,170,101.00	719,700.00	450,401.00
Highway Town Outside	1,156,057.00	714,550.00	441,507.00
Total Town & Highway	5,196,427.00	2,955,793.00	2,240,634.00
Cemetery Special Reserve	5,730.00	5,730.00	-
Fire Protection District	185,549.00	-	185,549.00
Lighting District	16,100.00	1,700.00	14,400.00
Garbage (Refuse) District	504,520.00	-	504,520.00
Rubbish District	22,450.00	4,000.00	18,450.00
Sewer Districts	155,221.00	150,521.00	4,700.00
Water Districts	1,430,519.00	327,325.00	1,103,194.00
Fire Districts	405,977.00	-	405,977.00
Total Special Districts	2,726,066.00	489,276.00	2,236,790.00
Unpaid Refuse Aurora	105.03	-	105.03
Delinq. Water ECWA	825.96	-	825.96
Delinq. Water Orchard Park	237.13	-	237.13
Omitted Tax	1,130.14	-	1,130.14
Total Other Items	2,298.26	-	2,298.26
<b>GRAND TOTALS</b>	<b>7,924,791.26</b>	<b>3,445,069.00</b>	<b>4,479,722.26</b>

CHEEKTOWAGA

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	42,033,808.00	9,137,238.00	32,896,570.00
General Town Outside	1,873,746.00	1,873,746.00	-
Highway Town Outside	9,923,798.00	6,902,754.00	3,021,044.00
<b>Total Town &amp; Highway</b>	<b>53,831,352.00</b>	<b>17,913,738.00</b>	<b>35,917,614.00</b>
Consolidated Garbage	9,473,782.00	861,000.00	8,612,782.00
General Lighting	2,898,789.00	316,650.00	2,582,139.00
Risk Retention	2,203,000.00	2,203,000.00	-
Debt Service Fund	4,789,332.00	4,789,332.00	-
Sanitary Sewer	11,324,134.00	902,150.00	10,421,984.00
Lateral Sanitary Sewer	394.00	-	394.00
Storm Sewer (Drainage)	650,375.00	24,500.00	625,875.00
Hydrant Districts	472,978.00	71,154.00	401,824.00
Fire Districts	6,466,096.14	111,273.00	6,354,823.14
Premium Assmt (ECSA)	1,200.00	-	1,200.00
Special Assessments	65,872.00	-	65,872.00
<b>Total Special Districts</b>	<b>38,345,952.14</b>	<b>9,279,059.00</b>	<b>29,066,893.14</b>
Cleanup Debris	226,404.93	-	226,404.93
<b>Total Other Items</b>	<b>226,404.93</b>	<b>-</b>	<b>226,404.93</b>
<b>GRAND TOTALS</b>	<b>92,403,709.07</b>	<b>27,192,797.00</b>	<b>65,210,912.07</b>

CLARENCE

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	11,101,540.00	8,032,842.00	3,068,698.00
Highway Town Outside	4,184,601.00	1,506,497.00	2,678,104.00
<b>Total Town &amp; Highway</b>	<b>15,286,141.00</b>	<b>9,539,339.00</b>	<b>5,746,802.00</b>
Community Development	50,000.00	50,000.00	-
Central Alarm	225,078.00	1,000.00	224,078.00
Acquatic Growth Control	3,800.00	700.00	3,100.00
Drainage District	406,080.00	5,000.00	401,080.00
Fire District 1	837,049.00	4,000.00	833,049.00
Fire Protection Districts	2,302,855.00	-	2,302,855.00
Lighting Districts	15,900.00	1,900.00	14,000.00
Sewer Districts	662,606.00	35,650.00	626,956.00
Consolidated Water	590,536.00	29,000.00	561,536.00
Special Assessments	1,881.00	-	1,881.00
<b>Total Special Districts</b>	<b>5,095,785.00</b>	<b>127,250.00</b>	<b>4,968,535.00</b>
<b>GRAND TOTALS</b>	<b>20,381,926.00</b>	<b>9,666,589.00</b>	<b>10,715,337.00</b>

ELMA

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	2,405,120.00	2,405,120.00	-
Highway Fund	1,156,637.00	917,000.00	239,637.00
<b>Total Town &amp; Highway</b>	<b>3,561,757.00</b>	<b>3,322,120.00</b>	<b>239,637.00</b>

Water	2,059,191.00	1,997,463.00	61,728.00
Sewer Districts	190,046.00	8,600.00	181,446.00
Drainage	4,930.00	-	4,930.00
Lighting	41,050.00	3,170.00	37,880.00
Fire Protection	717,428.00	41,158.00	676,270.00
TFPD Service Award	120,000.00	-	120,000.00
Springbrook Fire	372,680.00	6,680.00	366,000.00
Refuse User Fee	307,960.00	-	307,960.00
<b>Total Special Districts</b>	<b>3,813,285.00</b>	<b>2,057,071.00</b>	<b>1,756,214.00</b>
Delinq. Water	1,285.58	-	1,285.58
<b>Total Other Items</b>	<b>1,285.58</b>	<b>-</b>	<b>1,285.58</b>
<b>GRAND TOTALS</b>	<b>7,376,327.58</b>	<b>5,379,191.00</b>	<b>1,997,136.58</b>

**EVANS**

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	7,370,292.00	1,143,865.00	6,226,427.00
General Town Outside	629,357.00	617,900.00	11,457.00
Highway Townwide	10,000.00	10,000.00	-
Highway Town Outside	2,210,727.00	1,759,222.00	451,505.00
Community Development	100,000.00	100,000.00	-
Risk Retention	350,000.00	350,000.00	-
<b>Total Town &amp; Highway</b>	<b>10,670,376.00</b>	<b>3,980,987.00</b>	<b>6,689,389.00</b>

Water Districts	1,983,949.00	1,901,951.00	81,998.00
Fire Protection District	864,724.00	30,000.00	834,724.00
Lighting Districts	305,489.00	3,200.00	302,289.00
Hydrant Districts	5,100.00	250.00	4,850.00
Refuse & Garbage	986,488.00	17,000.00	969,488.00
Fire District N. Evans	668,125.00	39,500.00	628,625.00
Debt Service	553,448.00	553,448.00	-
<b>Total Special Districts</b>	<b>5,367,323.00</b>	<b>2,545,349.00</b>	<b>2,821,974.00</b>
Delinq. Water	426,757.34	-	426,757.34
Demolition Charges	23,794.50	-	23,794.50
EC Sewer Premium Assmt	700.00	-	700.00
Eden Water	1,127.54	-	1,127.54
Omitted Tax	-	-	-
<b>Total Other Items</b>	<b>452,379.38</b>	<b>-</b>	<b>452,379.38</b>
<b>GRAND TOTALS</b>	<b>16,490,078.38</b>	<b>6,526,336.00</b>	<b>9,963,742.38</b>

**GRAND ISLAND**

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	6,471,078.00	4,432,136.00	2,038,942.00
Highway Fund	2,574,148.00	421,000.00	2,153,148.00
<b>Total Town &amp; Highway</b>	<b>9,045,226.00</b>	<b>4,853,136.00</b>	<b>4,192,090.00</b>
Debt Service	1,923,388.00	1,923,388.00	-
Fire Protection District	1,042,337.00	10,389.00	1,031,948.00

Lighting Districts	205,535.00	15,434.00	190,101.00
Water Districts	2,716,313.00	2,026,003.00	690,310.00
Sewer Districts	3,052,950.00	2,223,078.00	829,872.00
Garbage	1,393,162.00	30,178.00	1,362,984.00
Miscellaneous	1,271.00	-	1,271.00
<b>Total Special Districts</b>	<b>10,334,956.00</b>	<b>6,228,470.00</b>	<b>4,106,486.00</b>
Omitted Tax	-	-	-
Delinquent	438,404.00	-	438,404.00
<b>Total Other Items</b>	<b>438,404.00</b>	<b>-</b>	<b>438,404.00</b>
<b>GRAND TOTALS</b>	<b>19,818,586.00</b>	<b>11,081,606.00</b>	<b>8,736,980.00</b>

**HAMBURG**

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund Townwide	14,598,228.00	6,261,106.00	8,337,122.00
General Fund Outside Village	10,169,577.00	6,446,859.00	3,722,718.00
Highway Bridges Townwide	97,666.00	4,630.00	93,036.00
Highway Fund Outside Village	5,053,771.00	349,000.00	4,704,771.00
<b>Total Town &amp; Highway</b>	<b>29,919,242.00</b>	<b>13,061,595.00</b>	<b>16,857,647.00</b>
Golf Enterprise Fund	573,107.00	573,107.00	-
Lighting Districts	832,654.00	72,654.00	760,000.00
Town Hydrant	313,002.00	3,002.00	310,000.00
Debt Service	2,275,633.00	2,275,633.00	-

Insurance Reserve	1,235,500.00	1,235,500.00	-
Ravenwood North Drainage	13,163.00	90.00	13,073.00
Fire Districts	3,184,145.00	66,995.00	3,117,150.00
Sewer Districts	1,033,421.00	453,700.00	579,721.00
Water Districts	934,639.00	3,508.00	931,131.00
Lake View Fire District			-
<b>Total Special Districts</b>	<b>10,395,264.00</b>	<b>4,684,189.00</b>	<b>5,711,075.00</b>
Delinquent Water ECWA	21,088.77	-	21,088.77
Delinquent Water Blasdell	7,291.67	-	7,291.67
Delinquent Water O.P.	39.59	-	39.59
Debris & Tree Removal	12,664.71	-	12,664.71
Unsafe Building Conditions	300.00	-	300.00
<b>Total Other Items</b>	<b>41,384.74</b>	<b>-</b>	<b>41,384.74</b>
<b>Grand Totals</b>	<b>40,355,890.74</b>	<b>17,745,784.00</b>	<b>22,610,106.74</b>

**LANCASTER**

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	7,895,398.00	2,387,532.00	5,507,866.00
General Town Outside	893,369.00	893,369.00	-
Police	8,147,304.00	4,313,500.00	3,833,804.00
Highway Fund Townwide	87,099.00	32,100.00	54,999.00
Highway Town Outside	3,711,948.00	1,606,600.00	2,105,348.00
Misc Special Revenue	133,000.00	133,000.00	-

Total Town & Highway	20,868,118.00	9,366,101.00	11,502,017.00
Refuse District	2,186,486.00	90,000.00	2,096,486.00
Lighting District	314,063.00	4,000.00	310,063.00
Fire Protection District	3,486,083.00	55,000.00	3,431,083.00
Water Districts	729,845.00	122,000.00	607,845.00
Total Special Districts	6,716,477.00	271,000.00	6,445,477.00
Delinq. Water ECWA	9,613.09	-	9,613.09
Out of District Sewer	444.60	-	444.60
Property Clean Up	3,422.10	-	3,422.10
Omitted Tax	-	-	-
Total Other Items	13,479.79	-	13,479.79
<b>GRAND TOTALS</b>	<b>27,598,074.79</b>	<b>9,637,101.00</b>	<b>17,960,973.79</b>

**ORCHARD PARK**

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	10,263,526.00	5,697,995.00	4,565,531.00
General Town Outside	535,473.00	535,473.00	-
Highway Town Outside	3,671,452.00	547,646.00	3,123,806.00
Highway Village Only	5,748.00	-	5,748.00
Total Town & Highway	14,476,199.00	6,781,114.00	7,695,085.00
Sanitary Sewer Districts	931,526.00	231,769.00	699,757.00
Water Districts	1,039,175.00	132,704.00	906,471.00

General Lighting	323,409.00	25,000.00	298,409.00
Consolidated Garbage	1,708,046.00	185,000.00	1,523,046.00
Fire District	1,706,020.00	10,520.00	1,695,500.00
Hydrant Districts	10,520.00	-	10,520.00
Debt Service	1,027,359.00	1,027,359.00	-
<b>Total Special Districts</b>	<b>6,746,055.00</b>	<b>1,612,352.00</b>	<b>5,133,703.00</b>
Delinq. Water ECWA	8,589.28	-	8,589.28
Delinq. Town Charges	350.00	-	350.00
Prorated/Delinq. Garbage	3,462.04	-	3,462.04
Omitted Tax	-	-	-
<b>Total Other Items</b>	<b>12,401.32</b>	<b>-</b>	<b>12,401.32</b>
<b>GRAND TOTALS</b>	<b>21,234,655.32</b>	<b>8,393,466.00</b>	<b>12,841,189.32</b>

**TONAWANDA**

YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	27,532,867.00	11,552,150.00	15,980,717.00
General Town Outside	20,290,352.00	9,867,258.00	10,423,094.00
Highway Town Outside	6,811,275.00	1,126,358.00	5,684,917.00
<b>Total Town &amp; Highway</b>	<b>54,634,494.00</b>	<b>22,545,766.00</b>	<b>32,088,728.00</b>
Lighting Districts	1,620,000.00	220,000.00	1,400,000.00
Water Acq. & Storage	8,734,026.00	8,734,026.00	-
Fire Protection	659,650.00	25,000.00	634,650.00
Fire Districts	3,043,423.28	366,371.00	2,677,052.28

Sewer Consolidated	12,826,140.00	8,582,200.00	4,243,940.00
Drainage Consolidated	607,344.00	115,000.00	492,344.00
Refuse & Garbage Cons.	6,780,163.00	498,500.00	6,281,663.00
<b>Total Special Districts</b>	<b>34,270,746.28</b>	<b>18,541,097.00</b>	<b>15,729,649.28</b>
Cleanup Spec. Assmt.	7,592.48	-	7,592.48
Highway Paving Spec. Assmt.	150,382.06	-	150,382.06
Sewer Cons. Spec. Assmt.	10,969.29	-	10,969.29
Unpaid Water	-	-	-
Omitted Tax	2,241.31	-	2,241.31
<b>Total Other Items</b>	<b>171,185.14</b>	<b>-</b>	<b>171,185.14</b>
<b>GRAND TOTALS</b>	<b>89,076,425.42</b>	<b>41,086,863.00</b>	<b>47,989,562.42</b>

**WEST SENECA**

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	22,730,562.00	10,710,210.00	12,020,352.00
Highway Fund	9,555,800.00	1,911,843.00	7,643,957.00
Highway Credit			
<b>Total Town &amp; Highway</b>	<b>32,286,362.00</b>	<b>12,622,053.00</b>	<b>19,664,309.00</b>
Sewer Districts	8,814,434.00	2,205,679.00	6,608,755.00
Water Districts	211,814.00	16,053.00	195,761.00
Special Assessment	74,502.00	-	74,502.00
Gas Lighting Districts	114,198.00	2,300.00	111,898.00
Elec Lighting Districts	98,624.00	1,900.00	96,724.00

Fire Districts	3,310,424.00	-	3,310,424.00
Premium Assessment	704.38	-	704.38
<b>Total Special Districts</b>	<b>12,624,700.38</b>	<b>2,225,932.00</b>	<b>10,398,768.38</b>
Omitted Tax	6,962.14	-	6,962.14
Delinquent Water	3,545.92	-	3,545.92
Demolition Charges	30,053.00	-	30,053.00
Emergency Enclosure	211.97	-	211.97
Grass Cutting	6,304.34	-	6,304.34
<b>Total Other Items</b>	<b>40,115.23</b>	<b>-</b>	<b>40,115.23</b>
<b>GRAND TOTALS</b>	<b>44,951,177.61</b>	<b>14,847,985.00</b>	<b>30,103,192.61</b>

Towns of the Second Class as follows:

**BOSTON**

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	1,660,150.00	1,474,800.00	185,350.00
Highway Fund	1,232,381.00	523,984.00	708,397.00
<b>Total Town &amp; Highway</b>	<b>2,892,531.00</b>	<b>1,998,784.00</b>	<b>893,747.00</b>
Fire Protection District	736,000.00	16,000.00	720,000.00
Lighting District	20,000.00	-	20,000.00
Ambulance	90,000.00	25,000.00	65,000.00
Refuse & Garbage	588,000.00	19,140.00	568,860.00
Water Districts	379,636.00	-	379,636.00

Total Special Districts	1,813,636.00	60,140.00	1,753,496.00
In Lieu of Tax	6,000.00		6,000.00
Delinq. Water	1,691.62		1,691.62
Demolition Charges	13,215.00		13,215.00
Total Other Items	20,906.62	-	20,906.62
<b>GRAND TOTALS</b>	<b>4,727,073.62</b>	<b>2,058,924.00</b>	<b>2,668,149.62</b>

**BRANT**

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund Townwide	743,212.00	325,670.00	417,542.00
General Fund Town Outside	205,110.00	175,025.00	30,085.00
Highway Fund Townwide	168,582.00	84,700.00	83,882.00
Highway Fund Town Outside	116,685.00	89,750.00	26,935.00
Total Town & Highway	1,233,589.00	675,145.00	558,444.00
Fire Protection District	229,303.00	2,000.00	227,303.00
Lighting District	33,000.00	50.00	32,950.00
Sewer Districts	20,200.00	20,200.00	-
Water District	39,920.00	9,800.00	30,120.00
Total Special Districts	322,423.00	32,050.00	290,373.00
Omitted Taxes			
Total Other Items	-	-	-
<b>GRAND TOTALS</b>	<b>1,556,012.00</b>	<b>707,195.00</b>	<b>848,817.00</b>

**COLDEN**

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	895,783.28	895,783.28	-
Highway Fund	604,992.94	93,461.00	511,531.94
<b>Total Town &amp; Highway</b>	<b>1,500,776.22</b>	<b>989,244.28</b>	<b>511,531.94</b>
Lighting District	27,000.00	3,400.00	23,600.00
Refuse District	191,926.00	11,350.00	180,576.00
Water District	107,069.22	4,550.00	102,519.22
Colden Fire District	362,027.00	-	362,027.00
Aurora Colden Fire District	34,822.00	-	34,822.00
<b>Total Special Districts</b>	<b>722,844.22</b>	<b>19,300.00</b>	<b>703,544.22</b>
Omitted Taxes	-	-	-
<b>Total Other Items</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>GRAND TOTALS</b>	<b>2,223,620.44</b>	<b>1,008,544.28</b>	<b>1,215,076.16</b>

**COLLINS**

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund Townwide	1,064,101.76	664,654.00	399,447.76
General Fund Town Outside	458,772.00	458,772.00	-
Highway Fund Town Outside	937,499.75	814,750.75	122,749.00
<b>Total Town &amp; Highway</b>	<b>2,460,373.51</b>	<b>1,938,176.75</b>	<b>522,196.76</b>
Library Fund	50,282.80	200.00	50,082.80

Collins Fire Districts	165,238.41	-	165,238.41
Fire Protection Districts	17,050.00	-	17,050.00
Lighting District	13,046.00	50.00	12,996.00
Helmuth Fire Control	34,063.80	2,050.00	32,013.80
Refuse District	70,759.54	43,100.00	27,659.54
Water Districts	386,917.17	300,098.20	86,818.97
<b>Total Special Districts</b>	<b>737,357.72</b>	<b>345,498.20</b>	<b>391,859.52</b>
Delinquent Water	14,305.82	-	14,305.82
Clean Up	1,590.00	-	1,590.00
<b>Total Other Items</b>	<b>15,895.82</b>	<b>-</b>	<b>15,895.82</b>
<b>GRAND TOTALS</b>	<b>3,213,627.05</b>	<b>2,283,674.95</b>	<b>929,952.10</b>

**CONCORD**

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund Townwide	1,110,381.00	418,245.00	692,136.00
General Fund Town Outside	637,831.85	637,831.85	-
Highway Fund Townwide	10,000.00	-	10,000.00
Highway Fund Town Outside	845,818.88	725,236.88	120,582.00
<b>Total Town &amp; Highway</b>	<b>2,604,031.73</b>	<b>1,781,313.73</b>	<b>822,718.00</b>
Joint Projects	174,520.00	174,520.00	-
Library Fund	9,875.00	-	9,875.00
Fire Protection	479,488.00	-	479,488.00

Lighting District	52,000.24	-	52,000.24
Sewer District	115,545.60	1,500.00	114,045.60
Kissing Bridge Sewer	22,000.00	1,602.05	20,397.95
Kissing Bridge Water	7,200.06	-	7,200.06
Water District Trevett Road	17,501.84	100.00	17,401.84
<b>Total Special Districts</b>	<b>878,130.74</b>	<b>177,722.05</b>	<b>700,408.69</b>
Omitted Taxes	1,765.72	-	1,765.72
<b>Total Other Items</b>	<b>1,765.72</b>	<b>-</b>	<b>1,765.72</b>
<b>GRAND TOTALS</b>	<b>3,483,928.19</b>	<b>1,959,035.78</b>	<b>1,524,892.41</b>

**EDEN**

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	2,154,102.00	1,488,952.00	665,150.00
Highway Fund	1,346,105.00	295,150.00	1,050,955.00
<b>Total Town &amp; Highway</b>	<b>3,500,207.00</b>	<b>1,784,102.00</b>	<b>1,716,105.00</b>
Fire Protection District	295,262.00	10,000.00	285,262.00
Lighting District	65,056.00	2,000.00	63,056.00
Water Districts	229,842.04	1,127.54	228,714.50
Refuse & Garbage	580,000.00	34,660.00	545,340.00
<b>Total Special Districts</b>	<b>1,170,160.04</b>	<b>47,787.54</b>	<b>1,122,372.50</b>
Delinq. Water ECWA	2,235.94		2,235.94
Delinq. Water Evans	3,484.77		3,484.77

Road Improvement Chg	11,000.00		11,000.00
Delinq Refuse Chg	72.50		72.50
Total Other Items	16,793.21	-	16,793.21
<b>GRAND TOTALS</b>	<b>4,687,160.25</b>	<b>1,831,889.54</b>	<b>2,855,270.71</b>

**HOLLAND**

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	742,524.36	622,700.00	119,824.36
Highway Fund	888,628.29	276,160.04	612,468.25
<b>Total Town &amp; Highway</b>	<b>1,631,152.65</b>	<b>898,860.04</b>	<b>732,292.61</b>
Water Districts	156,350.00	156,350.00	-
Lighting District	22,000.00	-	22,000.00
Cemetery	15,000.00	15,000.00	-
Refuse & Garbage	245,750.00	-	245,750.00
Holland Fire	266,084.32	4,100.00	261,984.32
Strykersville Fire	4,808.00	-	4,808.00
<b>Total Special Districts</b>	<b>709,992.32</b>	<b>175,450.00</b>	<b>534,542.32</b>
Delinq. Water	12,843.93	-	12,843.93
Agric. Penalty	268.91	-	268.91
Unpaid Refuse	25.00	-	25.00
<b>Total Other Items</b>	<b>13,137.84</b>	<b>-</b>	<b>13,137.84</b>
<b>GRAND TOTALS</b>	<b>2,354,282.81</b>	<b>1,074,310.04</b>	<b>1,279,972.77</b>

MARILLA

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	846,400.00	846,400.00	-
Highway Fund	593,300.00	505,000.00	88,300.00
<b>Total Town &amp; Highway</b>	<b>1,439,700.00</b>	<b>1,351,400.00</b>	<b>88,300.00</b>
Sanitation	338,500.00	36,640.00	301,860.00
Fire District	314,300.00	1,200.00	313,100.00
Water Districts	434,455.00	24,875.00	409,580.00
Community Development	-	-	-
<b>Total Special Districts</b>	<b>1,087,255.00</b>	<b>62,715.00</b>	<b>1,024,540.00</b>
Unpaid Water	1,847.00	-	1,847.00
<b>Total Other Items</b>	<b>1,847.00</b>	<b>-</b>	<b>1,847.00</b>
<b>GRAND TOTALS</b>	<b>2,528,802.00</b>	<b>1,414,115.00</b>	<b>1,114,687.00</b>

NEWSTEAD

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund Townwide	1,422,475.00	750,122.00	672,353.00
General Fund Town Outside	172,906.00	172,906.00	-
Highway Fund Townwide	3,053.00	100.00	2,953.00
Highway Fund Town Outside	940,408.00	940,408.00	-
<b>Total Town &amp; Highway</b>	<b>2,538,842.00</b>	<b>1,863,536.00</b>	<b>675,306.00</b>
Water Districts	586,769.00	97,144.00	489,625.00

Fire Protection Districts	462,261.00	5,100.00	457,161.00
Refuse & Garbage	359,992.00	21,500.00	338,492.00
Drainage District	52,107.00	450.00	51,657.00
Sewer Districts	37,600.00	37,600.00	-
<b>Total Special Districts</b>	<b>1,498,729.00</b>	<b>161,794.00</b>	<b>1,336,935.00</b>
Delinquent Water	5,567.46		5,567.46
Unpaid Refuse	522.55		522.55
Omitted Taxes			-
<b>Total Other Items</b>	<b>6,090.01</b>	<b>-</b>	<b>6,090.01</b>
<b>GRAND TOTALS</b>	<b>4,043,661.01</b>	<b>2,025,330.00</b>	<b>2,018,331.01</b>

**NORTH COLLINS**

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund Townwide	806,705.00	213,120.00	593,585.00
General Fund Town Outside	150,055.00	3,931.00	146,124.00
Highway Fund Townwide	52,098.00	500.00	51,598.00
Highway Fund Town Outside	578,456.00	417,974.00	160,482.00
<b>Total Town &amp; Highway</b>	<b>1,587,314.00</b>	<b>635,525.00</b>	<b>951,789.00</b>
Fire Protection Districts	180,264.00		180,264.00
Refuse District	173,250.00		173,250.00
<b>Total Special Districts</b>	<b>353,514.00</b>	<b>-</b>	<b>353,514.00</b>
<b>Total Other Items</b>	<b>-</b>	<b>-</b>	<b>-</b>

GRAND TOTALS	1,940,828.00	635,525.00	1,305,303.00
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**SARDINIA**

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	1,191,300.00	1,191,300.00	-
Highway Fund	485,146.58	485,146.58	-
General Lighting	9,075.00	435.00	8,640.00
Total Town & Highway	1,685,521.58	1,676,881.58	8,640.00
Fire District	224,865.88	-	224,865.88
Street Lighting	10,050.00	574.00	9,476.00
Total Special Districts	234,915.88	574.00	234,341.88
GRAND TOTALS	1,920,437.46	1,677,455.58	242,981.88

**WALES**

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	649,613.00	619,540.00	30,073.00
Highway Fund	339,331.00	205,682.00	133,649.00
Total Town & Highway	988,944.00	825,222.00	163,722.00
Fire District	174,259.00	9,000.00	165,259.00
Lighting	8,919.00	2,200.00	6,719.00
Refuse	192,789.00	6,000.00	186,789.00
South Wales Fire	82,399.00		82,399.00
Total Special Districts	458,366.00	17,200.00	441,166.00

Omitted Tax			-
Total Other Items	-	-	-
GRAND TOTALS	1,447,310.00	842,422.00	604,888.00

MS. WHYTE moved to approve the item. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

Item 4 – MS. WHYTE moved to reconsider INTRO 29-1. MS. MILLER-WILLIAMS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 391

RE: Resolution to Consider Actions to  
Defend Passage of the Levy and  
Apportion of Erie County Real Property  
Tax - 2009  
(INTRO 29-1)

**A RESOLUTION TO BE SUBMITTED BY  
LEGISLATORS MARINELLI & WHYTE**

WHEREAS, on December 11, 2008 the Erie County Legislature approved INTRO 28-2, “Legal and Fiscal Matters Related to the 2009 Erie County Budget as Adopted by the Erie County Legislature;” and

WHEREAS, pursuant to INTRO 28-2, the Chair of the Legislature has signed a retainer agreement with the law firm Lipsitz Green Scime Cambria LLP in order to provide pre-litigation advice; and

WHEREAS, in order to effectuate payment of said retainer agreement and legal service authorization of this Honorable Body is necessary.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby granted to effectuate the payment of a retainer agreement in the initial amount of \$7,500 with the law firm Lipsitz Green Scime Cambria LLP, and for a potential second payment of \$2,500, for a total amount of \$10,000; and be it further

RESOLVED, that said funding is available and is hereby approved for said payment in the 2008 budget of the Erie County Legislature, to wit:

ERIE COUNTY LEGISLATURE  
FUND 110 – FUND CENTER 100

<u>Fund 110</u>		<u>Amount</u>
Acct. 530000	Other	\$ 7,500 – Initial Payment
Acct. 530000	Other	<u>\$ 2,500</u> – Potential Second Payment
		\$10,000 - TOTAL

and be it further

RESOLVED, that the Clerk of the Erie County Legislature is directed to forward certified copies of this resolution to the Office of the Erie County Comptroller, Office of the Director of Purchase and the Office of Budget, Finance and Management.

MS. WHYTE moved to approve the resolution. MR. WROBLEWSKI seconded. MR. MILLS & MR. RATH voted in the negative.

CARRIED. (11-2)

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM CHAIR MARINELLI**

Item 5 – (COMM. 29E-1) Letter to Legislature Clerk Calling Special Meeting

Received, Filed & Printed.

December 18, 2008

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

Dear Mr. Graber:

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 on MONDAY, DECEMBER 22, 2008 at ELEVEN-THIRTY O’CLOCK in the morning of that day in the Chambers of the Erie County Legislature, 4th Floor of Old County Hall, 92 Franklin Street, in the City of Buffalo, New York.

The purpose of the Special Meeting will be consideration of a resolution to consider actions to defend passage of the Levy and Apportion of Erie County Real Property Tax - 2009; as well as consideration of two Discharge items from the Finance & Management Committee:

- COMM. 23E-9 (2008) from the County Executive, Levy and Apportion of Erie County Real Property Tax - 2009;
- COMM. 28E-15 (2008) from the County Executive, 2009 Town Budgets & Special District Budgets.

The items on the agenda of the Special Meeting will include a resolution to consider actions to defend passage of the Levy and Apportion of Erie County Real Property Tax - 2009; consideration of two Discharge items from the Finance & Management Committee: COMM. 23E-9 (2008), and COMM. 28E-15 (2008); my letter to you calling the Special Meeting; and your Memo as Clerk of the Legislature to Members of the Legislature calling the Special Meeting.

Thank you.

Sincerely,

Lynn M. Marinelli, Chair  
Erie County Legislature

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE CLERK OF THE LEGISLATURE**

Item 6 – (COMM. 29D-1) Special Meeting Notice

Received, Filed & Printed.

December 18, 2008

To: All Members of the Erie County Legislature

From: Robert M. Graber, Clerk

Subject: SPECIAL MEETING NOTICE

PLEASE TAKE NOTICE that pursuant to Rule 2.02 of the RULES OF ORDER of the Erie County Legislature, and under the direction of Chair Lynn M. Marinelli, there will be a Special Meeting of the Erie County Legislature on MONDAY, DECEMBER 22, 2008 at ELEVEN-THIRTY O’CLOCK in the morning of that day in the Chambers of the Erie County Legislature, 4th Floor of Old County Hall, 92 Franklin Street, in the City of Buffalo, New York.

The purpose of the Special Meeting will be consideration of a resolution to consider actions to defend passage of the Levy and Apportion of Erie County Real Property Tax - 2009; as well as consideration of two Discharge items from the Finance & Management Committee:

- COMM. 23E-9 (2008) from the County Executive, Levy and Apportion of Erie County Real Property Tax - 2009;
- COMM. 28E-15 (2008) from the County Executive, 2009 Town Budgets & Special District Budgets.

The items on the agenda of the Special Meeting will include a resolution to consider actions to defend passage of the Levy and Apportion of Erie County Real Property Tax - 2009; consideration of two Discharge items from the Finance & Management Committee: COMM. 23E-9 (2008), and COMM. 28E-15 (2008); and your Memo as Clerk of the Legislature to Members of the Legislature calling the Special Meeting.

Thank you.

### **ANNOUNCEMENTS**

Item 7 – CHAIR MARINELLI, on behalf of the Erie County Legislature, wished all a Merry Christmas, Happy Hanukkah and Happy Kwanzaa. Chair Marinelli further expressed warm wishes for a good, relaxing and healthy holiday. Chair Marinelli also congratulated Raymond W. Walter, who was in attendance at this Special Meeting, on the occasion of being appointed by the committee members of the 4<sup>th</sup> Legislative district to succeed Legislator Ranzenhofer in the Legislature. Mr. Walter received a standing ovation.

Item 8 – MS. GRANT announced that there will be a vote of the NFTA Board of Commissioners today at 12:30 P.M. on the proposed NFTA Metro Bus and Rail fare increase.

Item 9 – MR. MAZUR announced that he has received an appreciative note from a constituent thanking the Legislature for adjourning in memory of his loved one.

Item 10 – CHAIR MARINELLI announced that the next meeting of the Citizens' Budget Review Commission will be January 8, 2009 at 5:30 P.M. in the Legislative Conference Room.

### **MEMORIAL RESOLUTIONS**

None.

### **ADJOURNMENT**

Item 11 – At this time, there being no further business to transact, CHAIR MARINELLI announced that the Chair would entertain a Motion to Adjourn.

MS. WHYTE moved that the Legislature adjourn until Thursday, January 8, 2009 at 2:00 P.M. Eastern Standard Time. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

CHAIR MARINELLI declared the Legislature adjourned until Thursday, January 8, 2009 at 2:00 P.M. Eastern Standard Time.

**ROBERT M. GRABER**  
**CLERK OF THE LEGISLATURE**