

**MEETING NO. 30
NOVEMBER 17, 2005**

ERIE COUNTY LEGISLATURE

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MEETING NO. 30
NOVEMBER 17, 2005**

The Legislature was called to order by Chairman Holt.

All Members Present.

A Moment of Silence was held.

The Pledge of Allegiance was led by Mr. Smith.

CHAIRMAN HOLT directed that the Erie County Legislature be recessed. (11/17/04 @ 2:05 pm).

GRANTED.

MS. MARINELLI moved to reconvene (11/22/05 @ 1:00 pm). MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 1 – CHAIRMAN HOLT directed that the agenda be taken out of order and the first item for consideration would be INTRO 30-2.

GRANTED.

MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. DeBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 305

RE: Home Rule Request to NYS Legislature -
Compensating & Use Tax

**A RESOLUTION SUBMITTED BY
LEGISLATOR HOLT**

RE: 2006 ERIE COUNTY BUDGET

MS. MARINELLI moved to amend the item by adding the following resolution. MR. DeBENEDETTI seconded. Legislators Cusack, Marshall, Ranzenhofer, Weinstein and Wroblewski voted in the negative.

CARRIED.

**AN AMENDMENT TO INTRO. 30-2
TO BE SUBMITTED BY LEGISLATOR HOLT**

**RE: HOME RULE REQUEST TO NEW YORK STATE LEGISLATURE
COMPENSATING AND USE TAX**

ADD the following:

ASSEMBLY

WHEREAS, Assembly Bill No. A.9081 and Senate Bill No. S.6007, if enacted into law, would amend Tax Law § 1210-D so as to authorize the County of Erie, during the period beginning January 15, 2006 and ending November 30, 2007, to impose a sales and compensating use tax at a temporary additional rate that is three-quarters percent (.75%) above both the permanent 3% rate otherwise authorized for all New York cities and counties pursuant to Tax Law § 1210 and the temporary additional 1% rate currently authorized for Erie County pursuant to Tax Law § 1210, and is in lieu of and replaces the temporary additional .25% rate currently authorized for Erie County pursuant to Tax Law § 1210-D, thereby authorizing an increase from 4.25% to 4.75% in the rate of the Erie County sales and compensating use tax as of January 15, 2006;

NOW, THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill No. A.9081 entitled "AN ACT to amend the tax law, in relation to the sales and compensating use tax imposed within the county of Erie"

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Other facts as set forth in the following explanation establish such necessity.

Failure to authorize and thereupon impose, as of January 15, 2006, what amounts to a one-half percent (.5%) increase in the rate of the Erie County-imposed sales and compensating use tax will compel the balancing of the 2006 Erie County Budget by means of revenues derived from an estimated 65% increase in the real property tax levy for 2006.

AND BE IT FURTHER RESOLVED, that the Clerk of the Legislature be directed to forward certified copies of this home rule request, with or without the signature of the Erie County Executive, as follows: two copies to the New York State Assembly and two copies to the New York State Senate.

SENATE

WHEREAS, Senate Bill No. S.6007 and Assembly Bill No. A.9081, if enacted into law, would amend Tax Law § 1210-D so as to authorize the County of Erie, during the period beginning

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January 15, 2006 and ending November 30, 2007, to impose a sales and compensating use tax at a temporary additional rate that is three-quarters percent (.75%) above both the permanent 3% rate otherwise authorized for all New York cities and counties pursuant to Tax Law § 1210 and the temporary additional 1% rate currently authorized for Erie County pursuant to Tax Law § 1210, and is in lieu of and replaces the temporary additional .25% rate currently authorized for Erie County pursuant to Tax Law § 1210-D, thereby authorizing an increase from 4.25% to 4.75% in the rate of the Erie County sales and compensating use tax as of January 15, 2006;

NOW, THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Senate Bill No. S.6007 entitled "AN ACT to amend the tax law, in relation to the sales and compensating use tax imposed within the county of Erie"

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Other facts as set forth in the following explanation establish such necessity.

Failure to authorize and thereupon impose, as of January 15, 2006, what amounts to a one-half percent (.5%) increase in the rate of the Erie County-imposed sales and compensating use tax will compel the balancing of the 2006 Erie County Budget by means of revenues derived from an estimated 65% increase in the real property tax levy for 2006.

AND BE IT FURTHER RESOLVED, that the Clerk of the Legislature be directed to forward certified copies of this home rule request, with or without the signature of the Erie County Executive, as follows: two copies to the New York State Assembly and two copies to the New York State Senate.

MS. MARINELLI moved for the approval of the item as amended. MR. DeBENEDETTI seconded.

CHAIRMAN HOLT directed that a roll-call vote be taken.

AYES: CHASE, McCARVILLE, SWANICK, DeBENEDETTI, DUSZA, HOLT, KENNEDY, KUWIK, MARINELLI and SMITH. NOES: CUSACK, MARSHALL, RANZENHOFER, WEINSTEIN and WROBLEWSKI. (AYES: 10, NOES: 5)

CARRIED

Item 2 – CHAIRMAN HOLT directed that the agenda be taken out of order and the next item for consideration would be INTRO 30-1.

GRANTED.

MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. DeBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 305

RE: 2006 Erie County Budget

**A RESOLUTION SUBMITTED BY
 LEGISLATOR HOLT**

RE: 2006 BUDGET

MS. MARINELLI moved to amend the item by attaching the following resolution. MR. DeBENEDETTI seconded.

CHAIRMAN HOLT directed that a roll-call vote be taken.

AYES: CHASE, McCARVILLE, SWANICK, DeBENEDETTI, DUSZA, HOLT, KENNEDY, KUWIK, MARINELLI and SMITH. NOES: CUSACK, MARSHALL, RANZENHOFER, WEINSTEIN and WROBLEWSKI. (AYES: 10, NOES: 5)

CARRIED

**AN AMENDMENT TO INTRO. 30-1
 TO BE SUBMITTED BY LEGISLATOR HOLT**

RE: 2006 ERIE COUNTY BUDGET

DELETE the resolution in its entirety and **REPLACE** with the following:

RE: IMPOSITION OF ADDITIONAL COMPENSATING AND USE TAX

RESOLUTION

of the

Legislature of Erie County increasing taxes on sales and uses of tangible personal property and of certain services, on occupancy of hotel rooms and on amusement charges pursuant to Article 29 of the Tax Law of the State of New York.

Be it enacted by the Legislature of the County of Erie, as follows:

Section 1. The Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie as Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, is hereby further amended by amending section 4-A thereof to read as follows:

Section 4-A. Imposition of additional rate of sales and compensating use taxes.

In addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one-quarter of one percent rate of such sales and compensating use taxes, for the period beginning July 1, 2005[,] and ending January 14, 2006, and there is hereby imposed and there shall be paid an additional three-quarters of one percent rate of such sales and compensating use taxes, for the period beginning January 15, 2006 and ending November 30, 2007. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section; provided that net collections from such additional rate shall be set aside for county purposes as provided in subdivision (f) of section 14 of this resolution.

Section 2. Subdivision (E) of clause (1) of section 11 of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie as Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, is hereby amended to read as follows:

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(E) With respect to the additional taxes imposed at the rate of one-quarter of one percent by section 4-A of this resolution, for the period beginning July 1, 2005[,] and ending January 14, 2006, in respect to the use of property used by the purchaser in this county prior to July 1, 2005, and with respect to the additional taxes imposed at the rate of three-quarters of one percent by section 4-A of this resolution, for the period beginning January 15, 2006 and ending November 30, 2007, in respect to the use of property used by the purchaser in this county prior to [July 1, 2005]January 15, 2006.

Section 3. Subdivision (f) of section 14 of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie as Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, is hereby amended to read as follows:

(f) Net collections from the additional one-quarter of one percent rate of taxes imposed during the period commencing July 1, 2005 and ending January 14, 2006 by section 4-A of this resolution shall be paid to the county and shall be used by the county solely for county purposes and shall not be subject to any revenue distribution agreement entered into pursuant to the authority of subdivision (c) of section 1262 of the Tax Law and net collections from the additional three-quarters of one percent rate of taxes imposed during the period commencing January 15, 2006 and ending November 30, 2007[,] by section 4-A of this resolution shall be paid to the county and shall be used by the county solely for county purposes and shall not be subject to any revenue distribution agreement entered into pursuant to the authority of subdivision (c) of section 1262 of the Tax Law. Nor shall any part of such net collections, or other County revenues, be subject to the revenue sharing formula set forth in a resolution adopted by the Erie County Legislature on December 7, 2004, relative to twelve million five hundred thousand dollars.

Section 4. This enactment shall take effect January 14, 2006.

MS. MARINELLI moved for the approval of the item as amended. MR. DeBENEDETTI seconded.

CHAIRMAN HOLT directed that a roll-call vote be taken.

AYES: CHASE, McCARVILLE, SWANICK, DeBENEDETTI, DUSZA, HOLT, KENNEDY, KUWIK, MARINELLI and SMITH. NOES: CUSACK, MARSHALL, RANZENHOFER, WEINSTEIN and WROBLEWSKI. (AYES: 10, NOES: 5)

CARRIED

Item 3 – CHAIRMAN HOLT directed that the Rules of the Legislature for 2005 Remain on the table.

Item 4 – No tabled items.

Item 5 – No items for reconsideration from previous meetings.

Item 6 – MS. MARINELLI moved for the approval of the minutes for meetings 18-23. MR. DeBENEDETTI seconded. Legislator Ranzenhofer voted in the negative.

CARRIED.

Item 7 - No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 8 – HOLT & SMITH presented a resolution In Memory of William Godfrey.

Item 9 - HOLT & SMITH presented a resolution In Memory of Green Boan Jr.

Item 10 – MS. MARINELLI presented a resolution Honoring Ralph Galanti, Athletic Director From ECC Upon His Retirement After 33 Years of Service.

MS. MARINELLI moved for consideration of the above three items. MR. DeBENEDETTI seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to amend the above three items for Et Al Sponsorship. MR. DeBENEDETTI seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to approve the above three items as amended. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 11 - CHAIRMAN HOLT directed that Local Law No. 10 (Print #1) 2004 remain on the table and in the Community Services Committee.

GRANTED.

Item 12 – CHAIRMAN HOLT directed that Local Law No. 15 (Print #1) 2004 remain on the table.

GRANTED.

Item 16 – CHAIRMAN HOLT directed that Local Law No. 17 (Print #1) 2004 remain on the table.

GRANTED.

Item 17 – CHAIRMAN HOLT directed that Local Law No. 2 (Print #1) 2005 remain on the table.

GRANTED.

Item 18 – CHAIRMAN HOLT directed that Local Law No. 7 (Print #1) 2005 remain on the table.

GRANTED.

Item 19 – CHAIRMAN HOLT directed that Local Law No. 15 (Print #1) 2005 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 20 – MS. MARINELLI moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 28E-23. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 311

RE: Purchase of 2005 Tax Sale Certificates

RESOLVED, that pursuant to Article VII of the Erie County Tax Act, the Commissioner of Finance be, and hereby is, authorized to bid for and purchase, on behalf of the County of Erie, all Tax Certificates upon real estate in Erie County for which 2005 real property taxes have not been paid, and be it further

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

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

CARRIED UNANIMOUSLY.

Item 21 – MS. MARINELLI moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of Comm. 27E-13. MR. DeBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 308 RE: 2005 STOP-DWI Revision

WHEREAS, the 2005 STOP-DWI fine revenues are greater than anticipated, and

WHEREAS, the contractual expense for local police agencies is calculated on fine revenues, and

WHEREAS, increased fine revenue result in an increase in contractual expense for the local police agencies,

NOW, THEREFORE, BE IT

RESOLVED, that the following transactions are hereby authorized to increase revenues and appropriations:

**CENTRAL POLICE SERVICES
COST CENTER #1650060
WBS ELEMENT #SDWI**

<u>APPROPRIATIONS</u>		<u>FROM</u>	<u>CHANGE</u>	<u>TO</u>
Acct. 516010 Contractual Agencies-NFP	\$ 789,300	\$ 36,000	\$825,300	
<u>REVENUES</u>				
Acct. 415650 DWI Program	\$1,552,350	\$ 36,000	\$1,588,350	

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the STOP-DWI Office and the Division of Budget, Management, and Finance, the Office of the County Executive and the Office of the Comptroller.

MS. MARINELLI moved for the approval of the item. MR. DeBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 22 – MS. MARINELLI moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of Comm. 28E-19. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 309 RE: 2005 STOP-DWI PLP/Probation Revision

WHEREAS, an active patrol presence by County police agencies under the Police Lifesaver Patrols project will deter Drunken Driving, and

WHEREAS, targeted, probation officer home visits to chronic DWI offenders will deter repeat offenses by our most dangerous DWI population, and

WHEREAS, the STOP-DWI Office budget must be amended to transfer funds to these priorities, and

WHEREAS, funds already appropriated are available in the 2005 STOP-DWI budget, and

WHEREAS, 2005 spending will not increase as a result of this measure, and

WHEREAS, the City of Tonawanda has agreed to administer payments to the various police agencies that participate in the Lifesaver Patrol Operations,

NOW, THEREFORE, BE IT

RESOLVED, that the following transactions are hereby authorized in order that the 2005 STOP-DWI budget reflect project priorities:

CENTRAL POLICE SERVICES
COST CENTER #1650060
WBS ELEMENT #SDWI

APPROPRIATIONS	<u>FROM</u>	<u>CHANGE</u>	<u>TO</u>
Acct. 516010 Contractual Agencies-NFP	\$ 825,300	11,000	\$ 836,300
Acct. 516020 Pro Ser Cnt & Fees	16,750	(11,000)	5,750
Acct. 545000 Rental Charges	10,000	(10,000)	0
Acct. 912600 Interfund-Probation	160,000	10,000	170,000
TOTAL CHANGE		<u>\$ 0</u>	

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contract with the City of Tonawanda to administer payments to participating police agencies in the Police Lifesavers Patrol project, and be it further

RESOLVED, that the Erie County Probation Department will use additional funding to conduct home visits among the felony DWI Probationer population, and be it further,

RESOLVED, that certified copies of this resolution be forwarded to the STOP-DWI Office, the Division of Budget, Management, and Finance, the Office of the County Executive, the Probation Department, and the Office of the Comptroller.

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

CARRIED UNANIMOUSLY.

Item 23 – MS. MARINELLI moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 28E-25. MR. WROBLEWSKI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 310

RE: Supplemental Agreement with NYSDOT -
 Vaughn Street Bridge (CR 198) - NY Route 240
 Bridge over Cattaraugus Creek

WHEREAS, the Erie County Legislature approved a contract for the design, right of way and construction of the replacement of the NY Route 240 Bridge over Cattaraugus Creek, Vaughn Street Bridge (CR 198), BIN 3060570 in the Town of Concord, Erie County between the New York State Department of Transportation and the County of Erie via Erie County Resolutions 2D-15, 22D-14, 14E-31, 30E-24 adopted on February 2, 1995, December 17, 1998, July 18, 2002, and December 22, 2004, respectively, and

WHEREAS, the Erie County Legislature authorized the County of Erie to pay their portion of the non-Federal share of the costs of the Vaughn Street Bridge Replacement Project, and

WHEREAS, non-payment of Erie County's local share would jeopardize the terms of the Federal Aid Agreement and make the County responsible for 100% of the total cost of the project, and

WHEREAS, the total project cost is \$13,234,550.00 for the Vaughn Street Project and the cost to Erie County is only \$1,323,455.00 of which \$109,600.00 has already been deposited with the New York State Comptroller.

NOW, THEREFORE BE IT

RESOLVED, that the payment of \$1,213,855.00 be disbursed from Erie County Department of Public Works Fund balances to the New York State Comptroller through either of the following accounts, whichever one is deemed most expeditious to the Comptroller's Office:

- 1) 2004 Unanticipated Road and Bridge Costs (SAP B.00127)

or

2) 2003 Bridge, Design and Construction (SAP B.OO058)

for contractual project expenditures, and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Deputy Commissioner, Highways, Department of Public Works, and also one copy each to the County Executive, the Commissioner of Public Works, the Division of Budget Management & Finance, and the County Comptroller.

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 24 – MS. MARINELLI moved for a suspension of the rules to include an item not on the agenda, and to move for immediate consideration and approval. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 311

RE: Notice of Public Hearing – ECSDs – 2006
Assessment Rolls (Comm. 30E-2)

WHEREAS, Article 5-A, Sections 270 and 271 of County Law requires your Honorable Body to hold a Public Hearing on the Sewer District Assessment Rolls for Erie County Sewer District Nos. 1, 2, 3, 4, 5 and 6; and

WHEREAS, Notice of said Public Hearing shall be published at least once in the official County newspapers and at least five (5) days prior to holding the Public Hearing.

NOW, THEREFORE, BE IT

RESOLVED, that the Sewer District assessment rolls are open for public inspection in the offices of the Division of Sewerage Management, 95 Franklin Street, Buffalo, New York 14202; and be it further

RESOLVED, that a Public Hearing be held in the Chambers of the Erie County Legislature, 92 Franklin Street, 4th Floor, Buffalo, NY, at 1:30 p.m., local time, on December 15, 2005, for the purpose of meeting to hear and consider any objections which may be made to the 2006 Sewer District Assessment Rolls for Erie County Sewer District Nos. 1, 2, 3, 4, 5 and 6; and be it further

RESOLVED, that the Clerk of the Legislature be directed to have published in the official County Newspapers, and the Buffalo News, a Notice of Public Hearing no later than the week of November 20, 2005; and be it further

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RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to Joel A. Giambra, County Executive, Thomas J. Whetham, P.E., Deputy Commissioner, Department of Environment and Planning, James Hartman, County Comptroller, and Gregory Dudek Assistant County Attorney.

Item 25 – MR. WEINSTEIN moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Intro 30-3 from LEGISLATOR WEINSTEIN RE: Projection of Logo for Illumination Engineering Society of North America.

CHAIRMAN HOLT directed that the item be directed to the ECONOMIC DEVELOPMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM CHAIRMAN HOLT

Item 26 – (Comm. 30E-1) Re-Scheduling Session to be Held 11/23/05 to 11/17/05

Received, Filed and Printed.

November 14, 2005

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

Dear Mr. Kelley:

Pursuant to Rule 2.01 of the RULES OF ORDER of the Erie County Legislature, you are hereby directed to call a Meeting of the Erie County Legislature to be held on THURSDAY; NOVEMBER 17, 2005 at 1 O'CLOCK in the afternoon of that day in the Erie County Legislature Chambers on the 4th floor of old County Hall, 92 Franklin Street, in the City of Buffalo, New York.

This meeting is the rescheduled convening of the Legislature's regular session which was scheduled to be held on Wednesday, November 23, 2005.

Thank you for your assistance.

Sincerely,

GEORGE A. HOLT, JR.
 Chairman

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COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COMMUNITY COLLEGE

Item 27 – (Comm. 30D-1) Notice of Board of Trustees Meeting to be Held 11/16/05

Received and filed.

FROM THE COUNTY ATTORNEY

Item 28 – (Comm. 30D-2) Transmittal of New Claims Against Erie County

Received and filed.

FROM THE CLERK OF THE LEGISLATURE

Item 29 – (Comm. 20D-3) Change in Session Date

Received, Filed and Printed.

To: All Erie County Legislators

From: Kevin Kelley, Clerk of the Legislature

Subject: CHANGE IN SESSION DATE

PLEASE TAKE NOTICE that pursuant to Rule 2.01 of the RULES OF ORDER of the Erie County Legislature and under the direction of Chairman George A. Holt, Jr., the Session of the Erie County Legislature originally scheduled for Wednesday, November 23, 2005 has been changed.

Chairman Holt has rescheduled that session for Thursday, November 17, 2005 at 1:00 p.m. in the Chambers of the Erie County Legislature.

This change will not affect any other previously scheduled Session dates.

Be advised that the clock-in deadline for items to be considered at that session will be before 11:00 a.m. tomorrow, Tuesday, November 15 2005.

ATTACHMENT -1

c: Joel A. Giambra, County Executive (w/ Attachment)
Frank J. Clark, District Attorney (w/ Attachment)
Timothy Howard, Sheriff (w/ Attachment)
James Hartman, Comptroller (w/ Attachment)
David J. Swarts, County Clerk (w/ Attachment)

Other Interested Parties (w/ Attachment)

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE BOARD OF HEALTH

Item 30 – (Comm. 30M-1) Notice of Board of Health Meeting to be Held on 12/1/05

Received and filed.

FROM THE VILLAGE OF NORTH COLLINS

Item 31 – (Comm. 30M-2) Certified Resolution Re: EC Development Block Grant

Received and filed.

FROM LYNDA STEPHENS

Item 32 – (Comm. 30M-3) Library Information

Received and filed.

MEMORIAL RESOLUTIONS

Item 33 – Mr. Dusza requested that when the Legislature adjourns, it do so in memory of Diane Scaren.

Item 34 – Mr. Smith requested that when the Legislature adjourns, it do so in memory of Valerie Boden.

Item 35 – Mr. Weinstein requested that when the Legislature adjourns, it do so in memory of Mathew Rooney.

Item 36 – Mr. Weinstein requested that when the Legislature adjourns, it do so in memory of Anne Young.

ADJOURNMENT

Item 37 - At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MR. DUSZA moved that the Legislature adjourn until Thursday, December 1, 2005 at 2 p.m. Eastern Standard Time. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

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The Chairman declared the Legislature adjourned until Thursday, December 1, 2005 at 2 p.m. Eastern Standard Time.

KEVIN M. KELLEY
CLERK