

COUNTY OF ERIE

LOCAL LAW NO. 11-1989

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ERIE COUNTY
LEGISLATURE

LOCAL LAW INTRO. NO. 10

TO

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A LOCAL LAW amending Local Law No. 1-1960, constituting the Erie County Administrative Code, as amended, by amending 3.08-A, and 18.03, thereof, in relation to the composition, powers and duties of the county development coordination board; the capital projects committee and the tentative capital program.

BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE, AS FOLLOWS:

ITEM 1. Section 3.08-A of Local Law No. 1-1960, constituting the Erie County Administrative Code, as amended, is amended to read as follows:

Section 3.08-A. County Development Coordination Board,

a. There shall be a county development coordination board consisting of [fifteen] seventeen members who shall be as follows: the commissioner of health; the commissioner of public works; the commissioner of parks, recreation and forestry; the commissioner of environment and planning; the chairman of the environmental

management council, or his designee; a member of the county legislature selected by the chairman of the legislature; [ten] eleven persons designated by the county executive subject to confirmation by the county legislature and which persons are not county officials or employees. The county executive shall designate one member who is not a county official or employee to serve as chairman of the board at the pleasure of the county executive. The [commissioner] deputy commissioner of planning of the department of environment and planning shall serve as secretary to the board. The [ten] eleven members of the board designated by the county executive shall serve for a term of two years. Meetings of the board shall be held at the call of the chairman or the deputy commissioner of environment and planning on three days' written notice mailed to the last known address of each board member. The members of the board shall receive no salary or compensation for their services as members of such board, but shall, within the appropriations provided therefore, be entitled to actual disbursements and expense in performing the duties of their office.

b. The board shall have all the powers and duties conferred or imposed upon it by the county charter or by this code and shall (i) review the comprehensive plan prepared by the department of environment and planning and submit its recommendations thereon to the county executive and review proposed amendments to said plan prior to final action being taken on such amendments, (ii) review procedural guidelines for

the coordination and preparation of the comprehensive plan and annual planning program, (iii) review county policies and standards for inclusion in the comprehensive plan and forward such recommendations to the county executive, (iv) recommend amendments to the comprehensive plan and annual planning program to the county executive, (v) advise the county executive in all matters within the jurisdiction of the county related to comprehensive regional, county and municipal planning and development and (vi) make recommendations on the capital budget and capital improvement program to the county executive pursuant to the procedures established by Section 18.03 of this code.

ITEM 2. Section 18.03 of Local Law No. 1-1960, constituting the Erie County Administrative Code; as amended, is amended to read as follows:

Section 18.03. Preparation of proposed tentative capital budget and program.

a. Submission of capital project requests. On or before the fifteenth day of July, or such earlier date as the budget director may prescribe, the head of each administrative unit shall furnish to the budget director and to the commissioner of environment and planning a description, justification and estimate for each physical public improvement or works, hereinafter called capital project, which [he proposes] is proposed for development during one or more of the ensuing six fiscal years. Each capital project request shall show: recommended priority; development time schedule; estimated costs

for planning, site or right-of-way, construction, equipment and other features; status of plans and land acquisition; anticipated effect of project on annual operating budget; possible sources of financial aid; recommended expenditures by years; and such other information as the budget director and commissioner of environment and planning may deem advisable.

b. Capital projects committee. To assist in the consideration of capital projects and the capital program, there shall be a capital projects committee consisting of the county executive, the comptroller, the budget director, the finance commissioner, the planning director, the county attorney and such other administrative heads as the county executive may designate, and the following members of the county legislature; the chairman, the chairman of the capital improvements committee, and the majority and minority leaders. The county executive shall be solely responsible for the capital program and budget as submitted to the county legislature and no member of the latter body shall be obliged to support any project by reason of membership on the capital projects committee. The county executive shall be the chairman and the budget director shall be the vice chairman of this committee.

c. Upon receiving a capital project request, the commissioner of environment and planning shall study the same with special reference to comprehensive plans for the county and for any affected municipality therein.

The commissioner shall promptly forward any such comments and recommendations regarding the proposed project to the budget director, who shall submit the same, together with his own comments and recommendations, to the capital projects committee and the development coordination board. The capital projects committee shall proceed to consider all requested capital projects, and for such purpose shall meet in the period between [July] April fifteen and September fifteen at least twice, and as more often as may be required at the call of the chairman or vice chairman.

d. The development coordination board shall make such recommendations to the county executive in regard to the scope of the capital program, the relative priorities of proposed projects and suggested means of financing as its membership may determine. At the request of the county executive, joint meetings of the capital projects committee and the development coordination board shall be held.

e. The budget director and deputy commissioner of environment and planning shall assist the development coordination board by presenting and explaining all capital projects requests and shall furnish all relevant exhibits and information. The department of environment and planning shall also assist in the preparation of the capital improvement program report and all related information.

f. Proposed capital program. On or before the fifteenth day of September the budget director, after receiving the advice

of the capital projects committee, shall prepare and submit to the county executive a proposed capital program for the next six (6) fiscal years, showing the purpose and amount of recommended capital expenditures by years, the suggested methods of financing, and the estimated affect of such program on future budgets with respect to operating, maintenance, debt service and other costs.

g. Proposed tentative capital budget. The first year of the proposed capital program, covering the next ensuing fiscal year, shall be incorporated by the budget director in a proposed tentative capital budget for such year. Such capital budget shall indicated debt service charges for previous projects, proposed down payments and other expenditures for new projects, and the recommended sources of all proposed capital financing including, but not limited to, capital reserve fund, sinking funds, current revenues, temporary borrowing, bond sales, federal and state grants, loans or advances.

ITEM 3. This Local Law is to be effective immediately.

MICHAEL A. FITZPATRICK
Legislator - 2nd District

Material in brackets [] deleted.

Material underlined is new.