

INTRO 3-11

**A RESOLUTION TO BE SUBMITTED
BY LEGISLATORS GRANT, MAZUR, HOGUES,
MARINELLI, LOUGHRAN & McCracken**

ECLEGG FEB14'12 AM10:05

RE: Filling Vacancy in the Office of Erie County Comptroller

WHEREAS, Section 2704 of the Erie County Charter concerning the filling of a vacancy in the office of county executive or comptroller states: "A vacancy, otherwise than by expiration of term or removal by the governor, in the elective office of county executive or comptroller, shall be filled by appointment by the county legislature of a qualified elector of the county having the same political affiliation as the person last elected to such office... The person appointed by either the county legislature or the governor shall hold office by virtue of such appointment until the commencement of the political year next succeeding the first annual election after the happening of the vacancy, at which election a county executive or comptroller, as the case may be, shall be elected for the balance of the term, if any"; and

WHEREAS, on December 31, 2011, Mark C. Poloncarz resigned the office of Erie County Comptroller to become Erie County Executive.

NOW, THEREFORE, BE IT

RESOLVED, pursuant to the terms of Section 2704 of the Erie County Charter, the Erie County Legislature does hereby appoint David J. Shenk of 6721 Redwing, Boston, NY 14025 to the office of Erie County Comptroller to fill a term expiring on December 31, 2012; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, County Attorney, Office of the Comptroller, and the State of New York.

FISCAL IMPACT: None for resolution.