

**ERIE COUNTY LEGISLATURE
MEETING NO. 1
JANUARY 5, 2017**

The Legislature was called to order by the Clerk of the Erie County Legislature.

The Roll being duly called by Ms. Karen M. McCarthy, Clerk of the Legislature, the following Legislators answered, to wit:

1st District
Barbara Miller-Williams

2nd District
Betty Jean Grant

3rd District
Peter J. Savage III

4th District
Kevin R. Hardwick

5th District
Thomas A. Loughran

6th District
Edward A. Rath III

7th District
Patrick B. Burke

8th District
Ted B. Morton

9th District
Lynne M. Dixon

10th District
Joseph C. Lorigo

11th District
John J. Mills

An Invocation was held, led by Ms. Dixon, who introduced Rev. Kevin M. Backus who offered a prayer.

The Pledge of Allegiance was led by Mr. Hardwick.

Item 1 – MS. McCARTHY called for nominations and the election of Chair of the Erie County Legislature for 2017.

MR. LORIGO placed in nomination for Chair of the Erie County Legislature for 2017 JOHN J. MILLS. MR. LOUGHRAN seconded.

MS. McCARTHY asked if there were any other nominations for the Office of Chair of the Erie County Legislature for 2017.

MR. LORIGO moved to close nominations. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

MS. McCARTHY moved the question of the election of JOHN J. MILLS as Chair of the Erie County Legislature for 2017, and directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MS. DIXON, MR. HARDWICK, MR. LORIGO, MR. MILLS, MR. MORTON and MR. RATH. NOES: None. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

MR. MILLS, having received the required number of votes cast was declared duly elected CHAIR OF THE ERIE COUNTY LEGISLATURE for 2017.

Item 2 – CHAIR MILLS called for nominations and the election of Clerk of the Erie County Legislature for 2017.

MR. LORIGO placed in nomination for Clerk of the Erie County Legislature for 2017 KAREN M. McCARTHY. MR. SAVAGE seconded.

We, the undersigned, representing a majority of the members of the Erie County Legislature do hereby nominate Karen M. McCarthy as Clerk of the Erie County Legislature for 2017.

BARBARA MILLER-WILLIAMS
Barbara Miller-Williams – 1st District

BETTY JEAN GRANT
Betty Jean Grant – 2nd District

PETER J. SAVAGE III
Peter J. Savage III – 3rd District

KEVIN R. HARDWICK
Kevin R. Hardwick – 4th District

THOMAS A. LOUGHRAN
Thomas A. Loughran – 5th District

EDWARD A. RATH III
Edward A. Rath III – 6th District

PATRICK B. BURKE
Patrick B. Burke – 7th District

TED B. MORTON
Ted B. Morton – 8th District

LYNNE M. DIXON
Lynne M. Dixon – 9th District

JOSEPH C. LORIGO
Joseph C. Lorigo – 10th District

JOHN J. MILLS
John J. Mills – 11th District

CHAIR MILLS asked if there were any other nominations for the Office of Clerk of the Erie County Legislature for 2017.

MR. LORIGO moved to close nominations. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS moved the question of the election of KAREN M. McCARTHY as Clerk of the Erie County Legislature for 2017, and directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. NOES: None. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

MS. McCARTHY, having received the required number of votes cast was declared duly elected CLERK OF THE ERIE COUNTY LEGISLATURE for 2017.

Item 3 – CHAIR MILLS called for the designation of Majority Leader of the Erie County Legislature for 2017.

MR. LORIGO presented a petition designating JOSEPH C. LORIGO as Majority Leader of the Erie County Legislature for 2017.

CHAIR MILLS directed that the petition be received, filed and printed.

GRANTED.

We, the undersigned, representing a majority of the members of the Majority Caucus of the Erie County Legislature do hereby designate Joseph C. Lorigo as Majority Leader of the Erie County Legislature for 2017.

KEVIN R. HARDWICK
Kevin R. Hardwick – 4th District

EDWARD A. RATH III
Edward A. Rath III – 6th District

TED B. MORTON
Ted B. Morton – 8th District

LYNNE M. DIXON
Lynne M. Dixon – 9th District

JOSEPH C. LORIGO
Joseph C. Lorigo – 10th District

JOHN J. MILLS
John J. Mills – 11th District

Item 4 – CHAIR MILLS called for the designation of Minority Leader of the Erie County Legislature for 2017.

MS. GRANT presented a petition designating THOMAS A. LOUGHRAN as Minority Leader of the Erie County Legislature for 2017.

CHAIR MILLS directed that the petition be received, filed and printed.

GRANTED.

We, the undersigned, representing a majority of the members of the Democratic Caucus in the Erie County Legislature do hereby designate Thomas A. Loughran as Minority Leader of the Erie County Legislature for 2017.

BARBARA MILLER-WILLIAMS
Barbara Miller-Williams – 1st District

BETTY JEAN GRANT
Betty Jean Grant – 2nd District

PETER J. SAVAGE III
Peter J. Savage III – 3rd District

THOMAS A. LOUGHRAN
Thomas A. Loughran – 5th District

PATRICK B. BURKE
Patrick B. Burke – 7th District

Item 5 – MR. LORIGO presented the Rules of the Legislature for 2017 and moved for approval. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 1

RE: Adopting Erie County Legislature's
Rules of Order of the Legislature for
2017

RESOLVED, the Erie County Legislature does hereby approve the Erie County Legislature's Rules of the Legislature for 2017 as follows:

SECTION 1.00: ORGANIZATION

1.01 CHAIRPERSON

Annually, the members of the Erie County Legislature shall meet to organize no later than the 8th day of January in each calendar year. At such meeting, or at a recessed meeting, the Legislature shall select a member of the Legislature as the Chair by an affirmative vote of at least a majority of the entire membership of the Legislature. Upon his or her election, the Chair shall immediately assume all of the duties and responsibilities of the office.

The Chair shall possess the following powers and perform the following duties:

1. To preside over all meetings of the full Legislature; call the Legislature to order, direct a call of the roll, and, except in the absence of a quorum, proceed to business in a manner prescribed by these rules;
2. To preserve order and decorum;
3. To execute on behalf of the Legislature contracts and/or contract amendments and other documents authorized by the County Legislature and to execute all contracts necessary for the day-to-day operation and administration of the County Legislature without additional Legislative authorization;
4. To decide all questions of order, subject to appeal of the Legislature as hereinafter provided;
5. To recess meetings;
6. If the Legislature is ready to go into Committee of the Whole, to name a Chairperson to preside over such committee;
7. To name an open meetings advisor from among the legislators to advise the body on compliance with New York State Open Meetings and Freedom of Information laws;
8. To order that a public hearing be held. Public Hearings shall be conducted a minimum of five (5) days before an item can be considered by the Legislature unless otherwise prescribed by law. Said hearings shall be held no earlier than 6:00 pm on weekdays. The chairman shall further ensure that notice of the time and date of each

- public hearing be posted on the Legislature's website not more than twenty-four (24) hours from the filing of the public notice.
9. To be a voting member ex-officio of all committees and to receive notice of all meetings thereof;
 10. To serve as the Department Head of the Legislature, and to appoint and designate or terminate, within the budgetary appropriations, all officers and employees of the Legislature not required to be selected by other means under these Rules, or other State or County law;
 11. To establish guidelines and criteria and approve the expenditure of funds in the budget of the Legislature for the printing and/or mailing of literature by members of the Legislature to their constituents within the appropriations therefore; provided, however, that no such literature shall be mailed at or delivered to any postal facility by such members during the period of forty-five (45) days immediately prior to a date of a primary or general election in which such member is included or involved as a candidate, whether such election is a special, primary, or runoff election, and as provided for in section 5.07 of these rules;
 12. To establish independent committees, boards, and commissions to report to the Chair and/or Legislature, and appoint or remove the members thereof;
 13. To cancel public hearings for which the underlying item has been withdrawn;
 14. Such other powers as may be set forth in more detail in these Rules or in state, federal, or local legislation.

1.02 MAJORITY AND MINORITY LEADERS:

Annually, the enrolled members of the two caucuses which shall have the greatest number of members seated in the Legislature shall elect a leader of their respective parties. A caucus shall be defined as a group of members or adherents of the same political party. The leader of the caucus whose membership of the Legislature constitutes a majority of the Legislature shall be known as the Majority Leader. The leader of the other caucus shall be known as Minority Leader. The Minority Leader shall have the responsibility to appoint and designate or terminate, within budgetary appropriations, which shall be allocated approximately proportionally, based on the number of members in the Minority Caucus, all officers and employees of the Legislature Minority.

For the purpose of complying with the provisions of Section 200, subdivision 1 of the County Law, in the event that neither the members of one caucus nor the other constitute a majority of the members of the County Legislature, the Chair of the Legislature shall designate one caucus leader as the Majority Leader and the other as the Minority Leader for the purpose of budgetary appropriation and other matters.

1.03 ACTING CHAIR:

In the absence of the Chair from any meeting of the Legislature, the designated Majority Leader shall become acting Chair with all the powers and duties of Chair for so long as the Chair is absent.

In the event of this occurrence, the Majority Leader shall not act in both capacities. The Majority Caucus shall designate an acting Majority Leader for so long as the Majority Leader is acting Chair.

SECTION 2.00: MEETINGS

2.01 REGULAR SESSION:

Regular sessions of the Legislature shall be held at least twice monthly, except in August, as designated by the Chair. The schedule of regular sessions shall be determined by the Chair who shall notify members of the Legislature concerning the same no later than January 1, of each year.

All regular sessions and all adjourned sessions shall be open for consideration of any matter, which in accordance with these rules, may be properly brought to the attention of the Legislature.

2.02 SPECIAL MEETINGS:

Special meetings shall be held at the call of the Clerk of the Legislature upon direction of the Chair or upon filing with the Clerk of the Legislature of a written request signed by a majority of the members of the Legislature. Notice in writing, stating the time, place and purpose of the special meeting shall be served personally, by facsimile transmission, by e-mail, by mail or by affixing to the door of the premises of the residential address upon each member by the Clerk of the Legislature at least forty-eight (48) hours before the date and time fixed for holding the meeting, or a member may waive the service of the notice for such meeting in writing. Only business specified in the notice thereof may be transacted at a special meeting.

Service by facsimile transmission, or e-mail of the Notice of Special Meeting, pursuant to this section, is authorized and constitutes service upon each member at a facsimile telephone number or County assigned e-mail address provided to the Clerk by the member of the Legislature for that purpose. A confirmation record produced by the Clerk's facsimile machine or computer and an affidavit of service by the Clerk of the Legislature, shall be *prima facie* evidence that the Notice of Special Meeting and transmitted documents were served consistent with the date, time and place appearing on the confirmation record. Facsimile transmission or e-mail of the Notice of Special Meeting may be transmitted at any time of the day or night, Monday through Friday, to the appropriate facsimile telephone number and will be deemed served upon receipt of the facsimile transmission, except that Notices of Special Meeting sent on a Friday shall be deemed duly served if the Clerk's confirmation record and affidavit demonstrate that facsimile transmissions or e-mails for all members of the Legislature were completed by 5 p.m. on that Friday. Nothing in this rule shall prohibit personal service of a Notice of Special Meeting on Friday after 5 p.m., or on a Saturday or a Sunday.

2.03 QUORUM:

A majority of the duly constituted membership of the Legislature shall constitute a quorum for the transaction of business, but a lesser number may adjourn.

2.04 CHAIR TO SECURE A QUORUM:

In the absence of a quorum during the sessions of the Legislature, the Chair may take such measures as provided by law and as the Chair may deem necessary to secure the presence of a quorum.

2.05 ROLL CALL, MINUTES, ABSENCES:

At any and every meeting of the Legislature, upon the members being called to order by the Chair, the roll of members shall be called by the Clerk, and the names of those absent shall be inserted in the Minutes. The Majority and Minority Leaders should note the absence of any of their members because of county business, established illness, death and/or bereavement in the family or of a close associate and such absence shall be carried in the Minutes as an excused absence. The Minutes of the preceding meeting, when available, shall then be presented for approval to the end that any corrections, alterations, or additions may be made. In all cases when an order, resolution or

a motion shall be entered in the Minutes of the Legislature, the name of the member presenting or moving the same and seconding shall be entered.

2.06 ORDER OF BUSINESS:

The Order of Business of each session shall be:

1. Calling the roll of members by the Clerk;
2. Consideration of the Minutes and proceedings of the preceding meeting(s);
3. Consideration and presentation of miscellaneous resolutions. Each legislator shall be entitled to four (4) annual presentations including citizen of the month, with no regular session having more than two (2) presentations. Selection of presentation shall be determined by the order in which requests are filed with the Clerk of the Legislature;
4. The consideration of Communications, Local Laws and Resolutions on the table of Legislature;
5. Reports of Standing Committees;
6. Reports of Special Committees;
7. Presentation of Resolutions;
8. Presentation of Resolutions and Communications to be Discharged from a Standing Committee or Special Committee;
9. Presentation of Resolutions and Communications which require a Suspension of the Rules for the purpose of considering the item or sending it to committee;
10. Presentation of Communications from Elected County Officials, County Departments, and the people and other agencies;
11. Unfinished Business;
12. Announcements from the Chair;
13. Announcement of Committee Meetings;
14. Presentation of Memorial Resolutions; and
15. Adjournment.

The Chair in his or her discretion may change the Order of Business at any session except as otherwise provided in Section 4.04.

2.07 ORDER DURING SESSION:

The Chair shall take the chair at the hour specified for the convening of the Legislature and shall preserve order and decorum. In debate, all remarks must be addressed to the Chair and confined to the question before the Legislature. The Chair shall prevent personal reflections and confine members to the question under discussion. The Chair shall decide all questions of order, which decisions shall be final, unless an appeal is taken to the Legislature and sustained.

2.08 APPEAL FROM THE CHAIRPERSON'S RULING:

On every appeal, the Chair shall have the right to assign his/her reasons for such decision. If the question on which the appeal is taken was not debatable, the Legislature shall decide the case without debate. If debatable, no member shall speak more than once.

The Chair shall put the question: "Shall the Ruling of the Chair be overturned?"

A motion to overrule a decision or ruling of the Chair shall require approval by a majority vote of the Legislature.

2.09 PRIVILEGE OF THE FLOOR:

No person shall be entitled to the privilege of the floor during the session of the Legislature, unless unanimous consent be given therefore.

2.10 REFERRALS TO COMMITTEE:

The Chair, at his or her discretion, may refer to the proper committee or shall table any petition, resolution, local law, amendment or other matter when presented, and may similarly refer to the County Attorney for attention any legal proceeding brought against the county. The Chair's decision to refer any item to committee or to the County Attorney or to table an item is not amendable or debatable, and can only be challenged in accordance with Section 2.08 herein. Once the appeal from the Chair's ruling has been decided however, and if the same has been a determination in favor of the Chair's referral or other action, the petition, resolution, local law, amendment or other matter cannot be discharged from such committee for reconsideration or other action at the same legislative session without the unanimous vote of the Legislature.

2.11 MEMBER NOT TO SPEAK OR LEAVE HIS OR HER PLACE:

While the Chair is putting a question, or while the roll is being called, no member shall speak or leave his or her place. The Chair shall allow opportunity for debate before the roll is called.

2.12 TIE VOTE:

When the Legislature shall be equally divided on any question, including the Chair's vote, the question shall be deemed to have been lost.

2.13 PRIORITY OF BUSINESS:

All questions relative to priority of business shall be decided by the Chair without debate, except as otherwise provided in Section 4.03, and the Chair's decision shall be final.

2.14 LIMITATION ON TIME OF SPEECH:

No member shall speak more than five minutes at any one time, nor more than twice on the same question without permission by majority vote of the Legislature. However, all members shall

be given an opportunity to explain their vote during a recording of ayes and noes pursuant to Rule 2.18 of this section.

During any debate occurring on the floor of the Legislature the lead sponsor, or his or her designee, in debate may be directly addressed with questions specifically relating to the item in front of the Legislature. Direct questions shall count as one of the two opportunities to speak and the member asking questions will be afforded the entirety of their time. All questions must be confined to the limitations otherwise imposed in this Rule.

The response from the lead sponsor, or his or her designee, must be related to the question asked and may be reasonably limited at the discretion of the Chair of the Legislature. For the purposes of this Rule the lead sponsor shall be the member whose name is listed first on the item at debate. The lead sponsor's responses shall not count against his or her time allowances afforded under this section.

This rule does not apply to the vote explanation allowed pursuant to 2.18, no questions are allowed during that time

2.15 MAJORITY VOTE:

A majority of the total vote of the entire membership of the Legislature shall be necessary to carry any question, proposition, resolution, motion, amendment or any other matter, except where it is otherwise provided herein or by statute that a two thirds vote or a unanimous vote is required. Local laws, resolutions or amendments introduced by any member(s) of the legislature and communications from elected officials requiring approval shall be approved or disapproved by a majority vote of the full legislature, except in such instances when items are removed from the agenda pursuant to Section 5.04.

2.16 RECEIVE AND FILE/RECEIVE, FILE AND PRINT:

The Chair, at his or her discretion, may receive and file or receive, file and print any question, proposition, resolution, motion, amendment or any other matter. The Chair's decision to receive and file or receive, file and print any question, proposition, resolution, motion, amendment or any other matter is not amendable or debatable, and can only be challenged in accordance with Section 2.08 herein.

2.17 RECORDING OF VOTE:

Any member shall have the right to have his or her vote recorded and entered upon the minutes upon request, without explanation, and without requiring the ayes and noes to be called.

2.18 RECORDING AYES AND NOES:

On a roll call, the ayes and noes shall be taken without explanation on any question wherever so required by law, or by any member, and whenever so taken shall be entered in the proceedings of the Legislature, and the Clerk shall record the names of the members and the way each shall have respectively voted. The roll is called of the minority members first, in alphabetical order, followed immediately by the majority members, in alphabetical order. Each member, as his or her name is called, shall respond in the affirmative or in the negative, as the case may be. Every member is entitled one (1) additional minute to explain their vote. Each member, however, shall be allowed to pass on the first call of the roll. To verify the vote and to correct possible errors, and to allow such members as passed on the first call of the roll; the Clerk shall repeat the call of the roll once, and only once. The only exception to this procedure is if the member abstains from voting in accordance with Section 2.21 herein.

2.19 BORROWING MONEY:

The ayes and noes shall be taken on all resolutions or other proceedings involving the granting of authority to borrow money and such other resolutions and proceedings, as the statute requires.

2.20 VOTE ON DISTINCT PROPOSITION:

If the question in debate contains several distinct propositions, the same shall be divided by the Chair at the request of any member, to the end that a vote may be taken on each proposition, but a motion to strike out and insert shall be deemed indivisible.

2.21 ABSTENTIONS:

Every member who shall be physically present in the Legislative Chambers when a question is stated by the Chair must cast his or her vote on the same. The only exception to this procedure is when a member abstains from voting in accordance with Section 5b of Erie County Local Law No. 10 – 1989, constituting the Erie County Code of Ethics. If a member wrongfully attempts to avoid casting his or her vote, abstain, or otherwise refuses to vote, the Chair shall direct the Clerk to record such member's vote in the affirmative on the question being voted upon.

2.22 SPEAK WHEN RECOGNIZED BY CHAIRPERSON:

No member wishing to speak shall proceed without standing and without having addressed the Chair from his or her place and until obtaining recognition by the Chair.

2.23 SUSPENSION OF THE RULES BY UNANIMOUS CONSENT:

These rules may at any time during the session be suspended by unanimous consent of all members of the Legislature present; however, the member making the application for such suspension must state the purpose for which the same is asked.

These rules may be suspended by a majority vote of the Legislature for the purpose of referring any item to committee provided that said item may not be discharged for action at the same meeting at which the suspension is granted. The unanimous consent of all members of the Legislature present shall be required, however, to suspend the rules to permit action on an item at the same meeting at which such suspension is requested.

A member shall submit to the Chair of the Legislature, a written copy of the item which he or she proposes to suspend the rules for referring said item to committee or for permitting action on said item at least three (3) hours prior to the session at which the request for such suspension is considered, and the member making said application for such suspension shall state the purpose for which the same is asked.

2.24 PRESENTATION OF MOTION:

When a question shall be under consideration, no motion shall be received except as herein specified, which motion, termed subsidiary motions, shall have precedence in the order named, to wit:

1. For an adjournment of the Legislature;
2. A call of the Legislature;
3. To move the previous question;
4. To lay on the table;
5. To postpone indefinitely;
6. To postpone to a certain day;
7. To go immediately into a Committee of the Whole on the pending subject;

8. To recess;
9. To commit to a Standing Committee;
10. To commit to a Special Committee; and
11. To amend.

2.25 WITHDRAWAL OF RESOLUTION OR MOTION:

Any resolution or motion offered by a member may be withdrawn by the member presenting it at any time before an announcement by the Chairperson of the vote thereon or before an amendment to such resolution or motion has been adopted.

2.26 MOTIONS NOT AMENDABLE OR DEBATABLE:

All motions for an adjournment, for a recess, to move the previous question, or to lay on the table shall be neither amended nor debated. After the roll call on any question has begun, no member shall speak on the question nor shall any motion be made until after the result is declared. While the Chair is putting any question, or while the roll is being called, no debate or discussion shall be in order. Any member desiring to explain his/her vote must do so before the start of the roll call, provided, before a roll call begins, all members shall have a right to avail themselves of the provisions of Section 2.22.

2.27 PREVIOUS QUESTIONS AND AMENDMENTS:

The "Previous Question" shall be as follows:

1. "I move the previous question" applies only to the specific pending question being debated whether it be an amendment or any other issue. If an amendment is being debated, the "previous question" is called, and a vote taken on the amendment, then the next amendment, if there is one, or the resolution should be debated.
2. If a motion is approved for the "previous question" and is qualified as being called to end debate on the resolution and all amendments, then no further debate can be permitted. Such a motion can be qualified in any manner, i.e., to end debate only on amendment, or on all pending questions.

2.28 MOTIONS FOR RECONSIDERATION AND CHANGING ONE'S VOTE:

A motion for reconsideration or a motion to change one's vote shall not be in order unless made on the same day, or the session day next succeeding that on which the action proposed to be reconsidered unless the action cannot be reversed or upon which the same motion was previously considered.

A motion to reconsider must be made by a member who voted with the prevailing side on the action proposed to be reconsidered. A member has the right to change his or her vote up to the time the result is announced; after that a change of vote can be made only by permission of the Legislature, which can be given by general consent, or by adoption of a motion to change one's vote.

When a motion to reconsider or a motion to change one's vote has been defeated, it shall not again be submitted to the Legislature without unanimous consent.

2.29 MOTION TO RESCIND:

A motion to rescind can only be entertained when moved by a member who voted with the majority in the action which it is proposed to rescind, and requires the affirmative vote of a majority of the total members of the Legislature.

2.30 COMMITTEE OF THE WHOLE:

The Legislature may, at any time when in session, resolve itself into a Committee of the Whole on any subject before it, and in such case, the Chairperson may name a member to preside.

2.31 COMMITTEE OF THE WHOLE - NO QUORUM; ADJOURNMENT:

If at any time within a Committee of the Whole it be ascertained that there is no quorum, the Chair of the Legislature or the Chair of the Committee of the Whole, if so named, shall immediately report the fact to the Chair of the Legislature and the adjournment of the Committee of the Whole shall be in order.

2.32 PRESENTATIONS TO BE IN WRITING:

All petitions, resolutions, committee reports and amendments thereof, shall be in writing.

2.33 TIME FOR PRESENTATION TO CLERK:

Except as provided in Section 2.02, all petitions, resolutions, offers, or communication of whatever nature shall be submitted to the Clerk of the Legislature before 11:00 a.m., three (3) business days prior to a regular meeting date, for presentation by the Clerk of the Legislature at the next meeting. For the purpose of this rule, business day shall be defined in reference to Section 206 of the New York State County Law.

In the event that three business days before session is a recognized holiday or a recognized holiday occurs within three business days before a regular meeting date, the appropriate clock-in day will be the first business day of the week in which the regular meeting date is held.

An agenda of all matters before the legislature shall be prepared by the Clerk of the Legislature, who shall determine the particular order of agenda items in keeping with Section 2.06.

2.34 SAMPLE RESOLUTION AND ACCOMPANYING MEMORANDA:

The Clerk of the Legislature shall not place any request for legislative action, which is filed by a county elected official, other than a county legislator, or by a non-elected county official, on the agenda for a regular or special legislative session, unless such request includes a sample resolution and an accompanying memorandum, which presents and includes:

- A SUMMARY OF RECOMMENDED ACTION
- FISCAL IMPLICATIONS OF PROPOSAL
- REASONS FOR RECOMMENDATION
- BACKGROUND OF PROPOSAL
- CONSEQUENCES OF NEGATIVE ACTION
- STEPS FOLLOWING APPROVAL OF MEASURE

2.35 SOLICITATIONS:

No solicitation of funds for any purpose shall be permitted during any session of the Legislature.

2.36 ALL POINTS OF ORDER NOT COVERED BY THESE RULES:

On all points of order not governed by the rules of this Legislature, the most recent edition of Robert's Rules of Order shall prevail. In the event that a point of order shall arise which shall not be

covered by either the Rules of Order for the Legislature or by the most recent edition of Robert's Rules of Order, the Rules of the New York State Assembly shall be followed.

SECTION 3.00: COMMITTEES

3.01 RULES SHALL APPLY TO COMMITTEE MEETINGS:

The Rules of the Legislature, except Section 2.09, shall apply to all committee meetings.

3.02 STANDING AND SPECIAL COMMITTEES:

There shall be the following standing committees which shall consist of five members each (including a Chair, Vice-Chair and three members), except the Finance & Management/Budget Committee which shall consist of seven members (including a Chair, Vice-Chair and five members) for the purpose of considering and acting upon the County Executive's Annual Budget, and all matters relating thereto.

The members of each committee shall be appointed by the Chair of the Legislature within twenty (20) days, or as soon as possible, after his or her election or appointment and the list of the committees shall be filed with the Clerk of the Legislature and printed in the minutes of the Legislature.

STANDING COMMITTEES

Community Enrichment
Economic Development
Energy & Environment
Finance & Management
Government Affairs
Health & Human Services
Minority & Women Business Enterprise
Public Safety

SPECIAL COMMITTEES

The Chair of the Legislature in his or her discretion may appoint such Special Committees, the number of members of which shall be as the Chair may determine.

3.03 CHAIRPERSON EX-OFFICIO MEMBER OF ALL COMMITTEES:

The Chair shall be a member Ex-officio of all committees with a vote thereon. The Chair's presence at a meeting shall be counted in determining whether a quorum is present. Any vacancies occurring during the year on any Standing or Special Committee shall be filled by the Chair at his or her discretion.

3.04 RECORDING PRESENCE OR ABSENCE OF COMMITTEE MEMBERS:

The Chair of every Standing and Special Committee shall record and certify on a form provided by the Clerk of the Legislature the names of all members present and absent from all regularly called committee meetings. Said certificate shall be filed with the Clerk and shall be the official record of committee attendance.

3.05(1) CONDUCT OF COMMITTEES:

All committees appointed by the Chair shall act promptly on all matters referred to them. It shall be the duty of the members of said committees to familiarize themselves with the departments of county government and the work entrusted to each of such committees.

3.05(2) MATTERS REFERRED TO DEPARTMENT HEADS:

Any matter referred by a committee to a department head for report or study shall be laid on the committee table for one week unless a longer period is specified by the committee.

3.05(3) REPORT ON ANY FINAL ACTION OF COMMITTEE:

Any final action taken by a majority of the members of the committee shall be included in the committee's report of its meeting and the committee's action shall be subject to approval of the Legislature by a majority vote of its total membership.

3.05(4) COMMITTEE AGENDA:

An agenda of all matters before a committee shall be prepared by the Clerk of the Legislature.

3.05(5) OPEN ITEMS IN COMMITTEE:

At the discretion of the Committee Chair, an item or items may be allowed to remain on the agenda indefinitely in that particular Committee to allow for consideration of that item and to serve as a vehicle for the committee to amend and send to the full Legislature, within the committee report, for consideration, subject to conditions provided in Section 5.04.

3.06 COMMITTEE REPORT MADE BY MAJORITY OF COMMITTEE:

No report shall be made by any committee on any subject referred to it except by a majority vote of the total membership of the committee unless the Legislature otherwise directs. All reports of committees shall be in writing and presented to the full Legislature for consideration at the next succeeding regular session of the Legislature, except the report of the Finance and Management/Budget Committee on the County Executive's Tentative Annual Budget, as provided in Section 4.01.

3.07 COMMITTEE REPORT BY STANDING AND SPECIAL COMMITTEES:

All reports of Standing and Special Committees, all motions except subsidiary motions under Sections 2.08, 2.27, 2.28, 2.29 and 2.30 and all resolutions shall lie upon the table one day before action thereon or adoption by the Legislature (unless immediate consideration is given by a majority vote of the Legislature). This rule shall not apply to reports of Standing and Special Committees on the last regular session before summer adjournment nor on the last regularly adjourned session at the close of the year.

SECTION 4.00: BUDGET

4.01 TENTATIVE BUDGET:

The County Executive shall, on or before the date set forth in the Charter or established by Local Law revising same, submit twenty (20) copies of the tentative budget to the Legislature. The Finance & Management/Budget Committee is hereby designated to receive and study the tentative budget and to report thereon. The Chair of the Finance & Management/Budget Committee shall present such tentative budget to the Finance & Management/Budget Committee for its consideration.

The Finance & Management/Budget Committee shall hold such meetings thereon as it may determine, and may require any officer or employee of the county or the head of any county department, bureau, office, board or commission, or of any organization receiving financial aid from the county, to appear before the committee for the purpose of furnishing any information required by the committee in its consideration of the tentative budget. After such consideration, the Finance & Management/Budget Committee shall submit the tentative budget, with such amendments or changes therein as the committee may determine, together with its report thereon, to the Legislature not later than the first Tuesday of December in each year. The report of the Finance & Management/Budget Committee shall be submitted to the Legislature and lay on the table forty-eight (48) hours prior to the Annual Meeting established by Section 2508 of the Charter.

Budget amendments proposed less than forty-eight (48) hours prior to the Annual Meeting shall be considered and voted on as described in Section 4.04. Such amendments less than forty-eight (48) hours prior to the Annual Meeting shall be limited to special or essential items for which information was not available in time to meet the forty-eight (48) hour requirement.

4.02 ANNUAL MEETING FOR THE ADOPTION OF BUDGET:

The Annual Meeting for the adoption of the Budget and for the levying of taxes for all county and town purposes prescribed by law shall be held pursuant to Section 2508 of the Charter.

4.03 LEVY OF SCHOOL TAXES:

The annual levy of school taxes pursuant to the Erie County Tax Act, as amended, shall be made at the regular meeting held on the first Thursday of September in each year.

4.04 ADOPTION OF BUDGET:

On or before the first Tuesday of December, following the submission of the tentative budget, the budget shall be the first order of business following consideration of the Minutes. Upon conclusion of the consideration of the budget, as provided in the Charter and Code, the motion to adopt the budget, either with amendments thereto, if any, to make the necessary appropriations therefore, and to levy and spread taxes shall then be the next order of business.

Any amendments to the Finance & Management/Budget Committee Report, which are proposed less than forty-eight (48) hours prior to the annual meeting prescribed by the County Charter, Section 2508, for adoption of a budget, shall be considered, justified and voted on in accordance with the Erie County Charter and Code.

SECTION 5.00: MISCELLANEOUS

5.01 APPOINTMENTS AND CONFIRMATIONS:

All appointments by this Legislature shall lay on the table one day except for appointments made for the purpose of organizing the Legislature and the reappointment of incumbents, which may be acted on immediately. All appointments requiring the confirmation of the Legislature may be acted on immediately.

Candidates, including incumbents seeking reappointment, for the position of Commissioner of the Erie County Water Authority, shall formally submit, in writing, to the Chair of the Legislature, notice of their candidacy for that position. The Chair of the Legislature shall notify the Chair of the Erie County Legislature's Energy and Environment Committee of such applicant(s) for the office of Commissioner of the Erie County Water Authority. Upon said notification, the Chair of the Energy and Environment Committee shall schedule a public meeting, with a minimum of five (5) business days notice to members of the Legislature and the general public, within fifteen (15) days

of receipt of notification from the Chair of the Legislature, for the purpose of interviewing the candidate(s).

5.02 PURCHASE OVER \$10,000.00:

Pursuant to Section 3.07 of the Administrative Code, the sum of \$10,000.00, is hereby fixed as the limit above which any purchases for contract for supplies may not be made without public advertisement. On purchases under \$10,000.00, as far as practicable, every purchase made by the Purchasing Director shall be made on bids first obtained from at least three (3) sources, except where a vendor will extend GSA contract pricing to the county, the Purchasing Director may purchase from that vendor without competitive bidding. A notation of the GSA contract number shall appear on the purchase order. Purchase requisitions and/or inquiry bid files for items under \$10,000.00 shall include a notation in writing indicating the names of at least three (3) vendors who were contacted, the name of the individuals quoting for the firm, the date contacted, and the prices quoted by the vendors. A contract awarded therefore shall be to the lowest responsible bidder.

5.03 OFFER TO PURCHASE COUNTY-OWNED PROPERTY:

The Erie County Legislature shall not adopt any resolution, which changes the status of county-owned land until such time as the proposal has been reviewed and recommended by the Department of Environment and Planning's County-Owned Lands Policy Advisory Board. The Clerk of the Legislature shall be responsible for referring all offers to purchase county-owned property to the Commissioner of Environment and Planning.

5.04 REDUCTION OF AGENDA:

Any item on a committee agenda, including but not limited to Local Laws, Resolutions, communications from the departments, and communications from other officials will be removed from the agenda one (1) calendar year from the date of their introduction.

The Chair of the Committee may, on his or her motion or request, keep an expired item on the table for an additional calendar year. The motion or request to leave an item on the table is not amendable or debatable, and can only be challenged in accordance with Section 2.08 herein.

5.05 DUTIES OF ADMINISTRATIVE ASSISTANTS:

The Administrative Assistants and other such staff as designated by the Clerk shall, in addition to the duties ordinarily performed by such officials, perform such other duties as shall be assigned to each by the Clerk during sessions and committee meetings of the Legislature.

5.06 ERIE COUNTY LEGISLATURE MAIL POLICY:

1. References to political parties and/or party affiliations are prohibited on all legislative mailings.
2. The Chair, at his/her discretion, may authorize Committee Chairs and their Clerks to send informational mailings that are germane to pending committee agenda items.
3. Members are entitled to use their annual discretionary district office expense account for targeted informational mailings (notifications, announcements, etc.) to constituents in their districts. Postage expenses, like other district office expenses, are itemized. District Offices are required to maintain copies of all targeted informational mailings, and to file a true and complete copy of same with the Clerk of the Legislature, commensurate with the mailing of same. Any such mailings must be postmarked and mailed no later than forty-five (45) days prior to the date of the Erie County Legislature Primary Election. No mailings may be made after the Erie County

Legislature Primary Election and prior to Election Day for the Erie County Legislature.

4. The above policy shall be reviewed periodically with a goal towards paperless notification for future correspondence. All mailings should contain the Legislature's and/or the legislator's county web page address.

5.07 PROHIBITION OF USE OF AUDIBLE, PORTABLE COMMUNICATION DEVICES:

During sessions and committee meetings of the Legislature, the use of audible, portable communication devices, including, but not limited to cellular telephones and pagers, shall be prohibited, except for non-audible receipt activation. Such prohibition shall be in effect for members and staff of the Legislature, as well as for invited witnesses, visitors, and members of the general public attending such sessions or meetings. Such prohibition shall not include the use of microphones, electronic recording devices, video recording equipment or portable computers used for the purposes of recording the proceedings of legislative sessions or committee meetings if done in a non-disruptive manner.

5.08(1) DECORUM IN LEGISLATURE CHAMBER:

In accordance with Article 7 of the N.Y. Public Officers Law, the Erie County Legislature hereby finds that it is essential to the maintenance of a democratic society that the business of Erie County be performed in an open and public manner. The citizens of Erie County and other governmental officials should be able to attend and observe their legislators during public deliberations subject to certain rules to allow this Honorable Body to properly consider the issues before it.

5.08(2) VISITORS TO THE ERIE COUNTY LEGISLATURE:

All visitors and spectators to the Erie County Legislature must be respectful and obey the rules of order promulgated by this Honorable Body.

5.08(3) FLOOR MOVEMENT:

In order to preserve the order, decorum and security of this Honorable Body, the floor of the Legislature Chamber will be restricted during sessions and public hearings to Legislators, Legislature Staff, County-wide Elected Officials, Administration Representatives, Department Heads and others granted permission by the Chair of the Erie County Legislature.

5.08(4) BANNERS, SIGNS AND PLACARDS:

Any display of banners, signs, or placards in the Legislature Chamber or Committee Rooms that is disruptive to the deliberative process of the Erie County Legislature and not previously authorized by the Clerk of the Erie County Legislature is strictly prohibited.

5.08(5) DISTRIBUTION OF LITERATURE OR MATERIALS:

Any distribution of literature or materials in the Legislature Chamber or Committee Rooms not previously authorized by the Clerk of the Erie County Legislature is strictly prohibited.

5.08(6) AUDIO RECORDING:

Audio recording of the public proceedings of the Erie County Legislature's sessions, committee meetings and public hearings shall be permitted under the following conditions:

- a) any unobtrusive audio recorder may be used provided that such recording is restricted to the open and public areas of the Legislature Chamber and Committee Rooms; and
- b) only credentialed members of the news media will be allowed access to the audio/visual equipment of the Erie County Legislature.

5.08(7) VIDEO RECORDING:

Video recording of the public proceedings of the Erie County Legislature's sessions, committee meetings and public hearings shall be permitted under the following conditions:

- a) any unobtrusive video recorder may be used provided that such recording is restricted to the open and public areas of the Legislature Chamber and Committee Rooms; and
- b) only credentialed members of the news media will be allowed access to the audio/visual equipment of the Erie County Legislature; and
- c) no light, visible signal or audible sound shall be used on any video equipment to indicate that the equipment is operating.

5.08(8) DRESS DECORUM:

Denim of any form is prohibited from attire of any member of the Legislature or staff in the Legislative chambers during any event involving formal business of the county including, but not limited to, Session, committee meetings, public hearings, and informational hearings.

5.08(9) ELECTRONIC DEVICES

All electronic devices shall be maintained on silent or vibrate mode and any disruption caused by a personal electronic device shall be ground for removal under section 5.08(11).

5.08(10) OATH OR AFFIRMATION:

The Chair of the Legislature, or committee, has the power to request anyone speaking in front of the Legislature take an oath affirming the truthfulness of the information being presented on the floor. This applies to any situation where the Legislature will be using the facts presented in making a decision. The discretion to use this power is within the control of the Chairperson of the Legislature or committee, depending on the body being presented with the information.

The Chair in charge of the meeting will ask the speaker, "Do you swear that what you are about to present is, to the best of your knowledge, both true and correct?" Speaker must answer in the affirmative or leave the floor until such a time as they are able to make the oath in the affirmative. If the speaker is unable to answer in the affirmative, a vote of the majority of the committee or the Legislature as a whole shall be taken as to whether to allow him or her access to the floor.

5.08(11) VIOLATIONS:

Any violation of the order or decorum of the Legislature subjects an offending party to removal from the Erie County Legislature's sessions, committee meetings and public hearings and possible forfeiture of their right to attend future sessions, committee meetings and public hearings of this Honorable Body.

5.09 AMENDMENT OF RULES:

These rules shall not be rescinded, altered, or amended, nor shall any additional rule be added, except by a majority vote of the total members of the Legislature, and only after at least one day's notice in writing, filed with the Clerk of the Legislature. Any additions to the Rules of Order shall be underlined and deletions shall be bracketed [].

SECTION 6.00: EFFECTIVE DATE

6.01 EFFECTIVE DATE:

These rules shall be effective immediately upon adoption by a majority vote of the total membership of the Legislature.

Item 6 – CHAIR MILLS directed that the Designation of Newspapers – Majority Caucus and the Designation of Newspapers – Minority Caucus be received, filed and printed.

GRANTED.

We, the undersigned, representing a majority of the Majority Caucus of the Erie County Legislature do hereby designate the Amherst Bee, published in Amherst, New York, having general circulation in the County of Erie, as the official newspaper for the publication of local laws, notices, and other matters required by law to be published for the County of Erie effective January 1, 2017.

KEVIN R. HARDWICK
Kevin R. Hardwick – 4th District

EDWARD A. RATH III
Edward A. Rath III – 6th District

TED B. MORTON
Ted B. Morton – 8th District

LYNNE M. DIXON
Lynne M. Dixon – 9th District

JOSEPH C. LORIGO
Joseph C. Lorigo – 10th District

JOHN J. MILLS
John J. Mills – 11th District

We, the undersigned, representing a majority of the Majority Caucus of the Erie County Legislature do hereby designate the Grand Island Dispatch, published in Grand Island, New York, having general circulation in the County of Erie, as the official newspaper for the publication of all Concurrent Resolutions of the New York State Legislature, required by law to be published for the County of Erie effective January 1, 2017.

KEVIN R. HARDWICK
Kevin R. Hardwick – 4th District

EDWARD A. RATH III
Edward A. Rath III – 6th District

TED B. MORTON
Ted B. Morton – 8th District

LYNNE M. DIXON
Lynne M. Dixon – 9th District

JOSEPH C. LORIGO
Joseph C. Lorigo – 10th District

JOHN J. MILLS
John J. Mills – 11th District

We, the undersigned, a Minority Caucus of the Erie County Legislature, do hereby designate the Buffalo Challenger Newspaper, published in Buffalo, New York, having general circulation in

the County of Erie, as the official newspaper for the publication of local laws, notices, and other matters required by law to be published for the County of Erie effective January 1, 2017.

BARBARA MILLER-WILLIAMS
Barbara Miller-Williams – 1st District

BETTY JEAN GRANT
Betty Jean Grant – 2nd District

PETER J. SAVAGE III
Peter J. Savage, III – 3rd District

THOMAS A. LOUGHRAN
Thomas A. Loughran – 5th District

PATRICK B. BURKE
Patrick B. Burke – 7th District

We, the undersigned, a Minority Caucus of the Erie County Legislature, do hereby designate the North Buffalo Rocket Newspaper, published in Buffalo, New York, having general circulation in the County of Erie, as the official newspaper for the publication of all Concurrent Resolutions of the New York State Legislature, required by law to be published for the year 2017.

BARBARA MILLER-WILLIAMS
Barbara Miller-Williams – 1st District

BETTY JEAN GRANT
Betty Jean Grant – 2nd District

PETER J. SAVAGE III
Peter J. Savage, III – 3rd District

THOMAS A. LOUGHRAN
Thomas A. Loughran – 5th District

PATRICK B. BURKE
Patrick B. Burke – 7th District

Item 7 – No tabled items.

Item 8 – No items for reconsideration from previous meeting.

Item 9 – MR. LORIGO moved for the approval of the minutes for Meeting Number 25 from 2016. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

Item 10 – No public hearings.

MISCELLANEOUS RESOLUTIONS

None.

LOCAL LAWS

Item 11 – CHAIR MILLS directed that Local Law No. 3 (Print #1) 2016 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 12 – CHAIR MILLS directed that Local Law No. 4 (Print #2) 2016 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 13 – CHAIR MILLS directed that Local Law No. 5 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 14 – CHAIR MILLS directed that Local Law No. 6 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 15 – CHAIR MILLS directed that Local Law No. 7 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 16 – CHAIR MILLS directed that Local Law No. 8 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 17 – CHAIR MILLS directed that Local Law No. 10 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 18 – CHAIR MILLS directed that Local Law No. 14 (Print #1) 2016 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 19 – MR. LORIGO moved to take Local Law No. 16 (Print #1) 2016 off the table. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 2

A LOCAL LAW amending Local Law No. 1-1959, constituting the Erie County Charter, as amended, in relation to recommendations made by the Erie County Charter Revision Commission, duly organized pursuant to Local Law No. 5-2015.

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

Section 1.

LEGISLATIVE INTENT. The Erie County Legislature approved Local Law No. 5-2015 creating the Charter Revision Commission for the express purpose of reviewing the Erie County Charter and the Administrative Code and to make recommendations on whether or not these documents should be amended to facilitate the more effective delivery of services to the public and to better coordinate the functions between departments and agencies of the County and the various local governments. The Legislature has reviewed all the recommendations and comments of the Charter Revision Commission, other interested policy organizations, members of the public, the Erie County Legislature and other elected officials. The Legislature held and participated in numerous public hearings to receive public input about changes to the Charter. The Legislature has considered all relevant information and input and does hereby determine that certain sections of the Erie County Charter, Local Law 1-1959 (as amended) shall be amended to modernize the Charter and to enhance the fiscal oversight and financial stability of the County.

Additions to the Erie County Charter are reflected by underlining.
Deletions to the Erie County Charter are reflected by ~~strikethroughs~~.

Section 2.

Article 1 of the Erie County Charter is hereby amended as follows:

Erie County and its Government – Charter

101. Title and purpose
102. County status, powers, and duties
103. Charter effect on state laws
104. Charter effect on local laws and resolutions
- ~~105. Legislative districts.~~
- ~~106. Legislative districts continued.~~

~~Section 105. Legislative Districts. The county of Erie is hereby divided into eleven districts, described as follows:~~

~~DISTRICT NO. 1~~

~~Bounded on the west by Lake Erie, being part of the Town of Hamburg except the south part which is in Legislative District 12; all of the City of Lackawanna; and the southwest part of the City of Buffalo contiguous to Legislative Districts 6, 3, and 2; and except Legislative Districts 7 and 11. The common line between Legislative District 1 and Legislative District 12 is described as follows: Beginning at the shore line of Lake Erie, the west line of the County of Erie, at its intersection with the centerline of Pleasant Avenue extended to the north; thence southerly, southeasterly, southerly, and generally easterly along the centerline of Pleasant Avenue to its intersection with the centerline of West Pleasant Drive; thence easterly along the centerline of West Pleasant Drive and the centerline extended to the centerline of the New York State Thruway; thence northerly and easterly along the centerline of the New York State Thruway to its intersection with the centerline of South Park Avenue; thence northerly along the centerline of South Park Avenue to its intersection with the centerline of Southwestern Boulevard; thence northeasterly along the centerline of Southwestern Boulevard to its intersection with the centerline of the New York State Thruway; thence northerly~~

along the centerline of the New York State Thruway to its intersection with the centerline of Big Tree Road; thence easterly along the centerline of Big Tree Road to its intersection with the centerline of McKinley Parkway; thence southerly along the centerline of McKinley Parkway to its intersection with the centerline of Bayview Road; thence southeasterly along the centerline of Bayview Road to its intersection with the centerline of Armor Duells Corner Road; thence easterly along the centerline of Armor Duells Corner Road to the east line of the Town of Hamburg. The common boundary between Legislative District 1 and Legislative District 2 is described as follows:

Beginning at the intersection of the centerline of Broadway with the intersection of the centerline of Bailey Avenue; thence southerly along the centerline of Bailey Avenue to its intersection with the centerline of the former Penn Central Railroad right of way; thence southwesterly along the centerline of the Penn Central Railroad right of way to an extension to the south of Milburn Street in a straight line; thence southerly along Milburn Street extended to its intersection with the centerline of William Street; thence easterly along the centerline of William Street to its intersection with the centerline of New Babcock Street; thence southwesterly along the centerline of New Babcock Street and the centerline extended to the southwest in a straight line to the intersection of the extended centerline of New Babcock Street with the centerline of the former Erie Lackawanna Railroad; thence southwesterly along the centerline of the Erie Lackawanna Railroad to its intersection with the former B & C Railroad lands; thence southwesterly along the centerline of the B & C Railroad lands to the centerline of the Niagara Section of the New York State Thruway; thence westerly along the Niagara Section of the New York State Thruway to its intersection with the centerline of Hamburg Street; thence southwesterly along the centerline of Hamburg Street to its intersection with the centerline of South Park Avenue; thence northwesterly along the centerline of South Park Avenue to its intersection with the centerline of Louisiana Street; thence southwesterly along the centerline of Louisiana Street to its intersection with the centerline of O'Connell Street; thence southeasterly along the centerline of O'Connell Street to its intersection with the centerline of Vicennes Street; thence southwesterly along the centerline of Vicennes Street to its intersection with the centerline of Republic Street; thence easterly along the centerline of Republic Street extended to the centerline of the former Erie Lackawanna Railroad's lands; thence northerly and easterly along the centerline of the Erie Lackawanna Railroad's lands to its intersection with the centerline of Fitzgerald Street extended to the southwest in a straight line; thence northeasterly along the centerline of Fitzgerald Street to its intersection with the centerline of South Park Avenue; thence along the centerline of South Park Avenue to its intersection with the centerline of the former Penn Central Railroad lines; thence southerly and easterly along the centerline of the former Penn Central Railroad lands to its intersection with the centerline of Tifft Street; thence northeasterly along the centerline of Tifft Street to its intersection with the centerline of Hopkins Street; thence southerly along the centerline of Hopkins Street to its intersection with the centerline of the former B. R. & P. Railroad; thence southeasterly along the centerline of the railroad to its intersection with the north line of the City of Lackawanna; thence easterly along the north line of the City of Lackawanna to its intersection with the west line of the Town of West Seneca.

The common boundary between Legislative District 1 and Legislative District 3 is described as follows:

Beginning at the intersection of the centerline of the Niagara Section of the New York State Thruway and the projection to the southwest in a straight line of the centerline of Virginia Street; thence southerly and easterly along the centerline of the New York State Thruway to its intersection with the centerline of Main Street; thence northeasterly along the centerline of Main Street to its intersection with the centerline of Eagle Street; thence southeasterly along the centerline of Eagle Street to its intersection with the centerline of Pine Street; thence southwesterly along the centerline

of Pine Street to its intersection with the centerline of South Division Street; thence southeasterly along the centerline of South Division Street to its intersection with the centerline of Hamburg Street; thence easterly along the centerline of Hamburg Street to its intersection with the centerline of Jefferson Avenue; thence northeasterly along the centerline of Jefferson Avenue to its intersection with the centerline of Eagle Street; thence southeasterly along the centerline of Eagle Street to its intersection with the centerline of Smith Street; thence northerly along the centerline of Smith Street to its intersection with the centerline of Howard Street; thence easterly along the centerline of Howard Street to its intersection with the centerline of Fillmore Avenue; thence northerly along the centerline of Fillmore Avenue to its intersection with the centerline of William Street; thence westerly along the centerline of William Street to its intersection with the centerline of Wilson Street; thence northerly along the centerline of Wilson Street to its intersection with the centerline of Broadway; thence northeasterly along the centerline of Broadway to its intersection with the centerline of Bailey Avenue.

The common boundary between Legislative District 6 and Legislative District 1 is described as follows:

Beginning at the intersection of the centerline of the Niagara Section of the New York State Thruway and the projection to the southwest in a straight line of the centerline of Virginia Street; thence southwesterly along the centerline of Virginia Street projected to the westerly line of the City of Buffalo.

DISTRICT NO. 2

The south part of the City of Buffalo and the south west part of the Town of Cheektowaga bounded on the west by Legislative District 1, on the north by Legislative Districts 3 and 8, on the east by Legislative District 8, Legislative District 9 and the Town of West Seneca and on the south by Legislative District 1 and the Town of West Seneca.

The common boundary between Legislative District 1 and Legislative District 2 is described as follows:

Beginning at the intersection of the centerline of Broadway with the intersection of the centerline of Bailey Avenue; thence southerly along the centerline of Bailey Avenue to its intersection with the centerline of the former Penn Central Railroad right of way; thence southwesterly along the centerline of the Penn Central Railroad right of way to an extension to the south of Milburn Street in a straight line; thence southerly along Milburn Street extended to its intersection with the centerline of William Street; thence easterly along the centerline of William Street to its intersection with the centerline of New Babcock Street; thence southwesterly along the centerline of New Babcock Street and the centerline extended to the southwest in a straight line to the intersection of the extended centerline of New Babcock Street with the centerline of the former Erie Lackawanna Railroad; thence southwesterly along the centerline of the Erie Lackawanna Railroad to its intersection with the former B & C Railroad lands; thence southwesterly along the centerline of the B & C Railroad lands to the centerline of the Niagara Section of the New York State Thruway; thence westerly along the Niagara Section of the New York State Thruway to its intersection with the centerline of Hamburg Street; thence southwesterly along the centerline of Hamburg Street to its intersection with the centerline of South Park Avenue; thence northwesterly along the centerline of South Park Avenue to its intersection with the centerline of Louisiana Street; thence southwesterly along the centerline of Louisiana Street to its intersection with the centerline of O'Connell Street; thence southeasterly along the centerline of O'Connell Street to its intersection with the centerline of Vicennes Street; thence southwesterly along the centerline of Vicennes Street to its intersection with the centerline of Republic Street; thence easterly along the centerline of Republic Street extended to the centerline of the former Erie Lackawanna Railroad's lands; thence northerly and easterly along the centerline of the Erie Lackawanna Railroad's lands to its intersection with the centerline of

Fitzgerald Street extended to the southwest in a straight line; thence northeasterly along the centerline of Fitzgerald Street to its intersection with the centerline of South Park Avenue; thence along the centerline of South Park Avenue to its intersection with the centerline of the former Penn Central Railroad lines; thence southerly and easterly along the centerline of the former Penn Central Railroad lands to its intersection with the centerline of Tifft Street; thence northeasterly along the centerline of Tifft Street to its intersection with the centerline of Hopkins Street; thence southerly along the centerline of Hopkins Street to its intersection with the centerline of the former B. R. & P. Railroad; thence southeasterly along the centerline of the railroad to its intersection with the north line of the City of Lackawanna; thence easterly along the north line of the City of Lackawanna to its intersection with the west line of the Town of West Seneca.

The common boundary between Legislative District 2 and Legislative District 3 is described as follows:

Beginning at the intersection of the centerline of Bailey Avenue with the centerline of Broadway; thence easterly along the centerline of Broadway to the west line of the Town of Cheektowaga.

The common line between Legislative District 2 and Legislative District 8 is described as follows:

Beginning in the centerline of Union Road at its intersection with the centerline of Cayuga Creek; thence northerly along the centerline of Union Road to its intersection with the centerline of William Street; thence westerly along the centerline of William Street to its intersection with the centerline of the New York State Thruway; thence northerly along the New York State Thruway to its intersection with the centerline of the former Lehigh Valley Railroad lands; thence southwesterly along the centerline of the Lehigh Valley Railroad lands to its intersection with the centerline of Harlem Road; thence northerly along the centerline of Harlem Road to its intersection with the centerline of Broadway; thence westerly along the centerline of Broadway to the east line of the City of Buffalo.

The common line between Legislative District 2 and Legislative District 9 is described as follows:

Beginning at the intersection of the centerline of Cayuga Creek with the centerline of Union Road; thence in a generally westerly direction along the centerline of Cayuga Creek to a northeast corner of the Town of West Seneca; thence continuing westerly along the north line of the Town of West Seneca to the east line of the City of Buffalo; thence southerly along the meandering east line of the City of Buffalo to the southeast corner of the City of Buffalo (near the centerline of Dorrance Avenue.)

DISTRICT NO. 3

Part of the City of Buffalo bounded on the east by Cheektowaga and Legislative District 1; on the north by Legislative Districts 7 and 6; on the west by Legislative Districts 6 and 1; and on the south by Legislative Districts 1 and 2.

The common boundary between Legislative District 1 and Legislative District 3 is described as follows:

Beginning at the intersection of the centerline of the Niagara Section of the New York State Thruway and the projection to the southwest in a straight line of the centerline of Virginia Street; thence southerly and easterly along the centerline of the New York State Thruway to its intersection with the centerline of Main Street; thence northeasterly along the centerline of Main Street to its intersection with the centerline of Eagle Street; thence southeasterly along the centerline of Eagle Street to its intersection with the centerline of Pine Street; thence southwesterly along the centerline of Pine Street to its intersection with the centerline of South Division Street; thence southeasterly along the centerline of South Division Street to its intersection with the centerline of Hamburg Street; thence easterly along the centerline of Hamburg Street to its intersection with the centerline of Jefferson Avenue; thence northeasterly along the centerline of Jefferson Avenue to its intersection with the centerline of Eagle Street; thence southeasterly along the centerline of Eagle Street to its intersection with the centerline of Smith Street; thence northerly along the centerline of Smith Street

to its intersection with the centerline of Howard Street; thence easterly along the centerline of Howard Street to its intersection with the centerline of Fillmore Avenue; thence northerly along the centerline of Fillmore Avenue to its intersection with the centerline of William Street; thence westerly along the centerline of William Street to its intersection with the centerline of Wilson Street; thence northerly along the centerline of Wilson Street to its intersection with the centerline of Broadway; thence northeasterly along the centerline of Broadway to its intersection with the centerline of Bailey Avenue.

The common boundary between Legislative District 6 and Legislative District 3 is described as follows:

Beginning at the intersection of the centerline of Bryant Street with the centerline of Richmond Avenue; thence southerly along the centerline of Richmond Avenue to its intersection with the centerline of North Street; thence easterly along the centerline of North Street to its intersection with the centerline of Delaware Avenue; thence southwesterly along the centerline of Delaware Avenue to its intersection with the centerline of Allen Street; thence westerly along the centerline of Allen Street to its intersection with the centerline of College Street; thence southerly along the centerline of College Street to its intersection with the centerline of Virginia Street; thence easterly along the centerline of Virginia Street to its intersection with the centerline of Delaware Avenue; thence southerly along the centerline of Delaware Avenue to its intersection with the centerline of Edward Street; thence westerly along the centerline of Edward Street to its intersection with the centerline of Elmwood Avenue; thence southerly along the centerline of Elmwood Avenue to its intersection with the centerline of Tupper Street; thence westerly along the centerline of Tupper Street to its intersection with the centerline of Carolina Street; thence southwesterly along the centerline of Carolina Street to its intersection with the centerline of Whitney Place; thence southeasterly along the centerline of Whitney Place to its intersection with the centerline of Georgia Street; thence southwesterly along the centerline of Georgia Street to its intersection with the centerline of Niagara Street; thence northwesterly along the centerline of Niagara Street to its intersection with the centerline of Carolina Street; thence southwesterly along the centerline of Carolina Street to its intersection with the centerline of Trenton Street extended to the southeast in a straight line; thence northwesterly along the Trenton Street extension to its intersection with the centerline of Virginia Street; thence southwesterly along the centerline of Virginia Street and its centerline extended to the centerline of the Niagara Section of the New York State Thruway.

The common boundary line between Legislative District 7 and Legislative District 3 is described as follows:

Beginning in the centerline of East Delevan Avenue at its intersection with the east line of the City of Buffalo; thence westerly along the centerline of East Delevan Avenue to its intersection with the centerline of Chelsea Street; thence southerly along the centerline of Chelsea Street and Chelsea Street extended to the south to its intersection with the centerline of East Ferry Street; thence easterly along the centerline of East Ferry Street to its intersection with the centerline of Kehr Street; thence southerly along the centerline of Kehr Street to its intersection with the centerline of Winslow Avenue; thence westerly along the centerline of Winslow Avenue to the centerline of Fillmore Avenue; thence northerly along the centerline of Fillmore Avenue to its intersection with the centerline of East Ferry Street; thence westerly along the centerline of East Ferry Street to its intersection with the centerline of the Kensington Expressway; thence southerly along the centerline of the Kensington Expressway to its intersection with a projection to the east of the centerline of Glenwood Avenue extended to the east; thence westerly along the centerline of Glenwood Avenue to its intersection with the centerline of Wohlers Avenue; thence southerly along the centerline of Wohlers Avenue to its intersection with the centerline of East Utica Street; thence westerly along the centerline of East Utica Street to its intersection with the centerline of Roehrer Avenue; thence

northerly along the centerline of Roehrer Avenue to its intersection with the centerline of Glenwood Avenue; thence westerly along the centerline of Glenwood Avenue to its intersection with the centerline of Storz Avenue; thence northerly along the centerline of Storz Avenue to its intersection with the centerline of Winslow Avenue; thence westerly along the centerline of Winslow Avenue to its intersection with the centerline of Dupont Street; thence northerly along the centerline of Dupont Street to its intersection with the centerline of Woodlawn Avenue; thence westerly along the centerline of Woodlawn Avenue to its intersection with the centerline of Jefferson Avenue; thence southerly along the centerline of Jefferson Avenue to its intersection with the centerline of Glenwood Avenue; thence westerly along the centerline of Glenwood Avenue to its intersection with the centerline of Chester Street; thence northerly along the centerline of Chester Street to its intersection with the centerline of Woodlawn Avenue; thence westerly along the centerline of Woodlawn Avenue to its intersection with the centerline of Main Street; thence southwestwardly along the centerline of Main Street to its intersection with the centerline of Utica Street; thence westerly along the centerline of Utica Street to its intersection with the centerline of Delaware Avenue; thence southwestwardly along the centerline of Delaware Avenue to its intersection with the centerline of Bryant Street; thence westerly along the centerline of Bryant Street to the centerline of Richmond Avenue.

The common boundary between Legislative District 2 and Legislative District 3 is described as follows:

Beginning at the intersection of the centerline of Bailey Avenue with the centerline of Broadway; thence easterly along the centerline of Broadway to the west line of the Town of Cheektowaga.

DISTRICT NO. 4

All of the Towns of Newstead, Clarence, Amherst, and Cheektowaga, excepting there from those portions of the Town of Amherst and the Town of Cheektowaga which lie within Legislative Districts 2, 8, 9, 14 and 15, which exceptions are the westerly portion of the Town of Amherst and the south and west portions of the Town of Cheektowaga.

The common boundary of Legislative District 4 and Legislative District 8 is described as follows:

Beginning at the northeast corner of that part of the Village of Depew which lies within the Town of Cheektowaga in the center of Transit Road; thence westerly along the north line of the Village of Depew to an angle point in the north line of the Village of Depew just northwest of Patsy Lane; thence southerly parallel with Patsy Lane to the centerline of Rehm Road; thence westerly along the centerline of Rehm Road to a northwest corner of the Village of Depew; thence southerly along a west line of the Village of Depew to a north line of the Village of Depew; thence westerly along a north line of the Village of Depew to its intersection with a north-south branch of lands formerly belonging to the New York Central Railroad Company; thence northerly and westerly along the centerline of the railway lands to a projection to the north in a straight line of the rear line of lots on the east side of Satinwood Drive; thence northerly along the rear lines projected to the north to the centerline of Genesee Street; thence westerly along the centerline of Genesee Street to its intersection with the centerline of the Kensington Expressway; thence westerly along the Kensington Expressway to its intersection with the centerline of Union Road; thence northerly along the centerline of Union Road to its intersection with an extension to the east in a straight line of the rear line of lots fronting on the south side of Clearvale Drive; thence westerly along the rear line, as extended, to the centerline of Beach Road; thence northerly along the centerline of Beach Road to its extension to the east of a line drawn along the rear line of lots on the south side of Hemenway Road; thence westerly along the rear line extended in a straight line to the west to the centerline of the New York State Thruway; thence northerly along the centerline of the Thruway to its intersection with the centerline of Huth Road extended to the west.

The common boundary between Legislative District 4 and Legislative District 14 is described as follows:

Beginning at the intersection of the centerline of the New York State Thruway with the centerline of Huth Road; thence northerly along the centerline of the Thruway and the centerline extended to the north in a straight line to the intersection of the extension with the south line of the Town of Amherst.

The common boundary between Legislative District 4 and Legislative District 15 is described as follows:

Beginning at the intersection of the south line of the Town of Amherst with a projection to the north in a straight line of the north-south portion of the New York State Thruway; thence easterly along the irregular south line of the Town of Amherst to its intersection with the centerline of Youngs Road; thence northerly along the centerline of Youngs Road to its intersection with the centerline of Main Street; thence easterly along the centerline of Main Street to the southwest corner of Lot 108, Township 12, Range 7 of the Holland Land Company's Survey; thence northerly along the west line of Lot 108 to the centerline of Sheridan Drive; thence westerly along the centerline of Sheridan Drive to its intersection with the centerline of Ayer Road; thence northerly along the irregular centerline of Ayer Road to its intersection with the centerline of Klein Road; thence easterly along the centerline of Klein Road to its intersection with the centerline of Paradise Road; thence northerly along the centerline of Paradise Road to its intersection with the centerline of Wellington Drive; thence westerly along the irregular centerline of Wellington Drive to its intersection with the centerline of Hearthstone Drive; thence northerly along the centerline of Hearthstone Drive to its intersection with the centerline of Wood Acres Drive; thence westerly and northerly along the centerline of Wood Acres Drive to its intersection with the centerline of Buttonwood Lane; thence westerly along the centerline of Buttonwood Lane to its intersection with the centerline of Youngs Road Extension; thence northerly along the centerline of Youngs Road Extension to the centerline of the former New York Central Railroad line; thence westerly along the centerline of the railroad to its intersection with the centerline of Hopkins Road; thence northerly along the centerline of Hopkins Road to the north line of the Town of Amherst.

DISTRICT NO. 5

The Towns of Sardinia, Holland, Wales, Marilla, Alden, Elma, and Lancaster, excepting there from that portion of the Town of Lancaster which lies within District 8, adjacent to Transit Road.

The common boundary of Legislative District 8 and Legislative District 5 is described as follows:

Beginning at the southwest corner of the Town of Lancaster; thence easterly along the south line of the Town of Lancaster to the southeast corner of Lot 98, Township 10, Range 6 of the Holland Land Company's Survey; thence northerly along the east line of Lot 98, Lot 97, Lot 96 to the centerline of Country Place extended to the west in a straight line to the west line of Lot 91; thence easterly along the centerline of Country Place and Country Place extended and along the centerline of Old Post Road to the centerline of Aurora Street; thence northerly along the centerline of Aurora Street to the south line of the Village of Lancaster; thence westerly along the south line of the Village of Lancaster to the southwest corner of the Village of Lancaster; thence northerly along the west line of the Village of Lancaster to the centerline of Como Park Boulevard; thence easterly along the centerline of Como Park Boulevard to its intersection with a west line of the Village of Lancaster; thence northerly along the west line of the Village of Lancaster to the centerline of Walden Avenue; thence easterly along the centerline of Walden Avenue to its intersection with the centerline of Central Avenue; thence northerly and westerly along the centerline of Central Avenue to its intersection with the centerline of Pleasant View Avenue; thence westerly along the centerline of Pleasant View Avenue to the centerline of Transit Road, the west line of the Town of Lancaster.

DISTRICT NO. 6

The north west part of the City of Buffalo, bounded on the north by the Town of Tonawanda; on the east by Legislative Districts 11, 7, and 3; on the south by Legislative District 1; not including Legislative District 2.

The common boundary between Legislative District 6 and Legislative District 1 is described as follows:

Beginning at the intersection of the centerline of the Niagara Section of the New York State Thruway and the projection to the southwest in a straight line of the centerline of Virginia Street; thence southwesterly along the centerline of Virginia Street projected to the westerly line of the City of Buffalo.

The common boundary between Legislative District 6 and Legislative District 3 is described as follows:

Beginning at the intersection of the centerline of Bryant Street with the centerline of Richmond Avenue; thence southerly along the centerline of Richmond Avenue to its intersection with the centerline of North Street; thence easterly along the centerline of North Street to its intersection with the centerline of Delaware Avenue; thence southwesterly along the centerline of Delaware Avenue to its intersection with the centerline of Allen Street; thence westerly along the centerline of Allen Street to its intersection with the centerline of College Street; thence southerly along the centerline of College Street to its intersection with the centerline of Virginia Street; thence easterly along the centerline of Virginia Street to its intersection with the centerline of Delaware Avenue; thence southerly along the centerline of Delaware Avenue to its intersection with the centerline of Edward Street; thence westerly along the centerline of Edward Street to its intersection with the centerline of Elmwood Avenue; thence southerly along the centerline of Elmwood Avenue to its intersection with the centerline of Tupper Street; thence westerly along the centerline of Tupper Street to its intersection with the centerline of Carolina Street; thence southwesterly along the centerline of Carolina Street to its intersection with the centerline of Whitney Place; thence southeasterly along the centerline of Whitney Place to its intersection with the centerline of Georgia Street; thence southwesterly along the centerline of Georgia Street to its intersection with the centerline of Niagara Street; thence northwesterly along the centerline of Niagara Street to its intersection with the centerline of Carolina Street; thence southwesterly along the centerline of Carolina Street to its intersection with the centerline of Trenton Street extended to the southeast in a straight line; thence northwesterly along the Trenton Street extension to its intersection with the centerline of Virginia Street; thence southwesterly along the centerline of Virginia Street and its centerline extended to the centerline of the Niagara Section of the New York State Thruway.

The common boundary between Legislative District 6 and Legislative District 7 is described as follows:

Beginning at the intersection of the centerline of Claremont Avenue with the centerline of Potomac Avenue; thence southerly along the centerline of Claremont Avenue to its intersection with the centerline of Dorchester Road; thence westerly along the centerline of Dorchester Road to its intersection with the centerline of Richmond Avenue; thence southerly along the centerline of Richmond Avenue to its intersection with the centerline of Bryant Street.

The common boundary between Legislative District 6 and Legislative District 11 is described as follows:

Beginning in the north line of the City of Buffalo at its intersection with the centerline of Elmwood Avenue; thence southerly along the centerline of Elmwood Avenue to its intersection with the centerline of Bedford Avenue; thence easterly along the centerline of Bedford Avenue to its intersection with the centerline of Lincoln Parkway; thence southerly along the centerline of Lincoln Parkway to its intersection with the centerline of Middlesex Road; thence westerly along the centerline of Middlesex Road to its intersection with the centerline of Elmwood Avenue; thence

southerly along the centerline of Elmwood Avenue to its intersection with the centerline of Forest Avenue; thence westerly along the centerline of Forest Avenue to its intersection with the centerline of Claremont Avenue; thence southerly along the centerline of Claremont Avenue to the centerline of Potomac Avenue.

DISTRICT NO. 7

The north east corner of the City of Buffalo bounded on the north by the Town of Amherst and Legislative District 11; on the east by the Town of Cheektowaga; on the south by Legislative District 3; and on the west by Legislative Districts 6 and 11.

The common boundary line between Legislative District 7 and Legislative District 11 is described as follows:

Beginning at the intersection of the north line of the City of Buffalo with the centerline of Bailey Avenue; thence southerly along the centerline of Bailey Avenue to its intersection with the centerline of Winspear Avenue; thence westerly along the centerline of Winspear Avenue to its intersection with the centerline of Northrup Place; thence southerly and westerly along the centerline of Northrup Place to its intersection with the centerline of Main Street; thence northeasterly along the centerline of Main Street to its intersection with the centerline of West Winspear Avenue; thence westerly along the centerline of West Winspear Avenue and West Winspear Avenue extended to the lands of the former Erie Lackawanna Railroad; thence southeasterly along the centerline of the lands of the former Erie Lackawanna Railroad to its intersection with the centerline of Main Street; thence southwesterly along the centerline of Main Street to its intersection with the centerline of Amherst Street; thence westerly along the centerline of Amherst Street to its intersection with the centerline of Fairfield Street; thence southeasterly along the centerline of Fairfield Street to its intersection with the centerline of Main Street; thence southwesterly along the centerline of Main Street to its intersection with the centerline of West Delevan Avenue; thence westerly along the centerline of West Delevan Avenue to its intersection with the centerline of Elmwood Avenue; thence northerly along the centerline of Elmwood Avenue to its intersection with the centerline of Potomac Avenue; thence westerly along the centerline of Potomac Avenue to its intersection with the centerline of Claremont Street.

The common boundary line between Legislative District 7 and Legislative District 3 is described as follows:

Beginning in the centerline of East Delevan Avenue at its intersection with the east line of the City of Buffalo; thence westerly along the centerline of East Delevan Avenue to its intersection with the centerline of Chelsea Street; thence southerly along the centerline of Chelsea Street and Chelsea Street extended to the south to its intersection with the centerline of East Ferry Street; thence easterly along the centerline of East Ferry Street to its intersection with the centerline of Kehr Street; thence southerly along the centerline of Kehr Street to its intersection with the centerline of Winslow Avenue; thence westerly along the centerline of Winslow Avenue to the centerline of Fillmore Avenue; thence northerly along the centerline of Fillmore Avenue to its intersection with the centerline of East Ferry Street; thence westerly along the centerline of East Ferry Street to its intersection with the centerline of the Kensington Expressway; thence southerly along the centerline of the Kensington Expressway to its intersection with a projection to the east of the centerline of Glenwood Avenue extended to the east; thence westerly along the centerline of Glenwood Avenue to its intersection with the centerline of Wohlers Avenue; thence southerly along the centerline of Wohlers Avenue to its intersection with the centerline of East Utica Street; thence westerly along the centerline of East Utica Street to its intersection with the centerline of Roehrer Avenue; thence northerly along the centerline of Roehrer Avenue to its intersection with the centerline of Glenwood Avenue; thence westerly along the centerline of Glenwood Avenue to its intersection with the centerline of Storz Avenue; thence northerly along the centerline of Storz Avenue to its intersection

with the centerline of Winslow Avenue; thence westerly along the centerline of Winslow Avenue to its intersection with the centerline of Dupont Street; thence northerly along the centerline of Dupont Street to its intersection with the centerline of Woodlawn Avenue; thence westerly along the centerline of Woodlawn Avenue to its intersection with the centerline of Jefferson Avenue; thence southerly along the centerline of Jefferson Avenue to its intersection with the centerline of Glenwood Avenue; thence westerly along the centerline of Glenwood Avenue to its intersection with the centerline of Chester Street; thence northerly along the centerline of Chester Street to its intersection with the centerline of Woodlawn Avenue; thence westerly along the centerline of Woodlawn Avenue to its intersection with the centerline of Main Street; thence southwestwardly along the centerline of Main Street to its intersection with the centerline of Utica Street; thence westerly along the centerline of Utica Street to its intersection with the centerline of Delaware Avenue; thence southwestwardly along the centerline of Delaware Avenue to its intersection with the centerline of Bryant Street; thence westerly along the centerline of Bryant Street to the centerline of Richmond Avenue.

The common boundary between Legislative District 6 and Legislative District 7 is described as follows:

Beginning at the intersection of the centerline of Claremont Avenue with the centerline of Potomac Avenue; thence southerly along the centerline of Claremont Avenue to its intersection with the centerline of Dorchester Road; thence westerly along the centerline of Dorchester Road to its intersection with the centerline of Richmond Avenue; thence southerly along the centerline of Richmond Avenue to its intersection with the centerline of Bryant Street.

DISTRICT NO. 8

Part of the Towns of Cheektowaga and Lancaster; bounded on the west by the City of Buffalo; on the north by Legislative Districts 14 and 4; on east by Legislative District 5; and on the south by Legislative Districts 9 and 2.

The common boundary between Legislative District 14 and Legislative District 8 is described as follows:

Beginning at a point in the west line of the Town of Cheektowaga at its intersection with a projection to the west of the rear line of lots on the south side of Southgate Road; thence easterly along the south lot lines to a projection to the north in a straight line of the centerline of that part of the westerly part of Kenville Road which runs north and south; thence southerly and easterly along the centerline of Kenville Road and Kenville Road extended easterly in a straight line to the centerline of Harlem Road; thence along the centerline of Harlem Road to the centerline of Homesgarth Avenue; thence east along the centerline of Homesgarth Avenue to the centerline of Roycroft Boulevard; thence southerly along the centerline of Roycroft Boulevard to the centerline of Seton Road; thence east along the centerline of Seton Road to the centerline of Woodbridge Avenue; thence north along the centerline of Woodbridge Avenue to the centerline of Huth Road; thence east along the centerline of Huth Road to the centerline of the New York State Thruway.

The common boundary of Legislative District 4 and Legislative District 8 is described as follows:

Beginning at the northeast corner of that part of the Village of Depew which lies within the Town of Cheektowaga in the center of Transit Road; thence westerly along the north line of the Village of Depew to an angle point in the north line of the Village of Depew just northwest of Patsy Lane; thence southerly parallel with Patsy Lane to the centerline of Rehm Road; thence westerly along the centerline of Rehm Road to a northwest corner of the Village of Depew; thence southerly along a west line of the Village of Depew to a north line of the Village of Depew; thence westerly along a north line of the Village of Depew to its intersection with a north-south branch of lands formerly belonging to the New York Central Railroad Company; thence northerly and westerly along the centerline of the railway lands to a projection to the north in a straight line of the rear line of lots on

the east side of Satinwood Drive; thence northerly along the rear lines projected to the north to the centerline of Genesee Street; thence westerly along the centerline of Genesee Street to its intersection with the centerline of the Kensington Expressway; thence westerly along the Kensington Expressway to its intersection with the centerline of Union Road; thence northerly along the centerline of Union Road to its intersection with an extension to the east in a straight line of the rear line of lots fronting on the south side of Clearvale Drive; thence westerly along the rear line, as extended, to the centerline of Beach Road; thence northerly along the centerline of Beach Road to its extension to the east of a line drawn along the rear line of lots on the south side of Hemenway Road; thence westerly along the rear line extended in a straight line to the west to the centerline of the New York State Thruway; thence northerly along the centerline of the Thruway to its intersection with the centerline of Huth Road extended to the west.

The common boundary of Legislative District 8 and Legislative District 5 is described as follows: Beginning at the southwest corner of the Town of Lancaster; thence easterly along the south line of the Town of Lancaster to the southeast corner of Lot 98, Township 10, Range 6 of the Holland Land Company's Survey; thence northerly along the east line of Lot 98, Lot 97, Lot 96 to the centerline of Country Place extended to the west in a straight line to the west line of Lot 91; thence easterly along the centerline of Country Place and Country Place extended and along the centerline of Old Post Road to the centerline of Aurora Street; thence northerly along the centerline of Aurora Street to the south line of the Village of Lancaster; thence westerly along the south line of the Village of Lancaster to the southwest corner of the Village of Lancaster; thence northerly along the west line of the Village of Lancaster to the centerline of Como Park Boulevard; thence easterly along the centerline of Como Park Boulevard to its intersection with a west line of the Village of Lancaster; thence northerly along the west line of the Village of Lancaster to the centerline of Walden Avenue; thence easterly along the centerline of Walden Avenue to its intersection with the centerline of Central Avenue; thence northerly and westerly along the centerline of Central Avenue to its intersection with the centerline of Pleasant View Avenue; thence westerly along the centerline of Pleasant View Avenue to the centerline of Transit Road, the west line of the Town of Lancaster. The common boundary line between Legislative District 9 and Legislative District 8 is described as follows:

Beginning at the southeast corner of the Town of Cheektowaga; thence northerly along the east line of the Town of Cheektowaga to its intersection a projection to the east of the rear lot lines of lots on the south side of Madeira Drive; thence westerly along the rear lot lines of Madeira Drive to the rear lot lines on the east side of Dubonet Drive; thence southerly along the rear lines of lots on the east side of Dubonet Drive to the rear line projected to the east of lots on the south side of Dubonet Drive; thence westerly along the rear lines of the lots on the south side of Dubonet Drive to the intersection of the projected rear lot lines with the projected rear lot line of lots on the westerly side of Dubonet Drive; thence northerly along the rear lot lines of lots on the west side of Dubonet Drive to the rear lot line of lots on the north side of Davidson Drive; thence westerly along the rear line of lots on Davidson Drive projected to the centerline of Borden Road; thence northerly along the centerline of Borden Road to a projection to the east in a straight line of the rear lot lines of lots on the south side of Losson Road; thence westerly along the rear lot lines of lots on the south side of Losson Road to a projection to the north in a straight line of the rear line of lots on the east side of Woodgate Drive; thence southerly along the projection of the rear line of lots on the east side of Woodgate Drive and the rear lot lines on the east side of Woodgate Drive to a projection to the east and west of the rear lines of lots on the north side of Barbados Drive (south); thence westerly along the rear lot lines on the north side of Barbados Drive (south) to the rear lot line of lots on the west side of the westerly most portion of Barbados Drive projected to the north and south; thence southerly along the projection of rear lot lines on the westerly most portion of Barbados Drive to the

rear lot lines of lots on the north side of Le Havre; thence westerly along the rear line of lots on the north side of Le Havre and the rear lot lines projected to the west to a line drawn along the westerly lot line of lots on Mayberry Drive West which line is projected to the north in a straight line to the former railroad lands; thence northeasterly along the railroad lands to their intersection with the centerline of Losson Road; thence westerly along the centerline of Losson Road to its intersection with the centerline of Union Road; thence northerly along the centerline of Union Road to the centerline of Cayuga Creek.

The common line between Legislative District 2 and Legislative District 8 is described as follows: Beginning in the centerline of Union Road at its intersection with the centerline of Cayuga Creek; thence northerly along the centerline of Union Road to its intersection with the centerline of William Street; thence westerly along the center line of William Street to its intersection with the centerline of the New York State Thruway; thence northerly along the New York State Thruway to its intersection with the centerline of the former Lehigh Valley Railroad lands; thence southwesterly along the centerline of the Lehigh Valley Railroad lands to its intersection with the centerline of Harlem Road; thence northerly along the centerline of Harlem Road to its intersection with the centerline of Broadway; thence westerly along the centerline of Broadway to the east line of the City of Buffalo.

DISTRICT NO. 9

All of the Town of West Seneca and the south part of the Town of Cheektowaga; excepting from the Town of Cheektowaga Legislative Districts 2, 8, 14, and 4.

The common line between Legislative District 2 and Legislative District 9 is described as follows: Beginning at the intersection of the centerline of Cayuga Creek with the centerline of Union Road; thence in a generally westerly direction along the centerline of Cayuga Creek to a northeast corner of the Town of West Seneca; thence continuing westerly along the north line of the Town of West Seneca to the east line of the City of Buffalo; thence southerly along the meandering east line of the City of Buffalo to the southeast corner of the City of Buffalo (near the centerline of Dorrance Avenue.)

The common boundary line between Legislative District 9 and Legislative District 8 is described as follows:

Beginning at the southeast corner of the Town of Cheektowaga; thence northerly along the east line of the Town of Cheektowaga to its intersection a projection to the east of the rear lot lines of lots on the south side of Madeira Drive; thence westerly along the rear lot lines of Madeira Drive to the rear lot lines on the east side of Dubonet Drive; thence southerly along the rear lines of lots on the east side of Dubonet Drive to the rear line projected to the east of lots on the south side of Dubonet Drive; thence westerly along the rear lines of the lots on the south side of Dubonet Drive to the intersection of the projected rear lot lines with the projected rear lot line of lots on the westerly side of Dubonet Drive; thence northerly along the rear lot lines of lots on the west side of Dubonet Drive to the rear lot line of lots on the north side of Davidson Drive; thence westerly along the rear line of lots on Davidson Drive projected to the centerline of Borden Road; thence northerly along the centerline of Borden Road to a projection to the east in a straight line of the rear lot lines of lots on the south side of Losson Road; thence westerly along the rear lot lines of lots on the south side of Losson Road to a projection to the north in a straight line of the rear line of lots on the east side of Woodgate Drive; thence southerly along the projection of the rear line of lots on the east side of Woodgate Drive and the rear lot lines on the east side of Woodgate Drive to a projection to the east and west of the rear lines of lots on the north side of Barbados Drive (south); thence westerly along the rear lot lines on the north side of Barbados Drive (south) to the rear lot line of lots on the west side of the westerly most portion of Barbados Drive projected to the north and south; thence southerly along the projection of rear lot lines on the westerly most portion of Barbados Drive to the

rear lot lines of lots on the north side of Le Havre; thence westerly along the rear line of lots on the north side of Le Havre and the rear lot lines projected to the west to a line drawn along the westerly lot line of lots on Mayberry Drive West which line is projected to the north in a straight line to the former railroad lands; thence northeasterly along the railroad lands to their intersection with the centerline of Losson Road; thence westerly along the centerline of Losson Road to its intersection with the centerline of Union Road; thence northerly along the centerline of Union Road to the centerline of Cayuga Creek.

DISTRICT NO. 10

All of the Town of Grand Island; all of the City of Tonawanda; and part of the Town of Tonawanda; excepting from the Town of Tonawanda Legislative Districts 11 and 14.

The common boundary between Legislative District 10 and Legislative District 11 is described as follows:

Beginning at the intersection of the centerline of Delaware Avenue with the projection to the west in a straight line of the rear line of lots on the north side of Paramount Parkway; thence southerly along the centerline of Delaware Avenue to its intersection with the centerline of the projection to the east of the rear line of lots on the south side of Lowell Road; thence westerly along the rear line of lots on Lowell Road and rear lines projected westerly to the intersection of the projection with the centerline of Elmwood Avenue; thence southerly along the centerline of Elmwood Avenue to its intersection with the projection of the rear line of lots on the south side of Thurston Avenue; thence westerly along the rear line of lots on the south side of Thurston Avenue and their projection to the intersection of the projection with the centerline of the former NYC & HR Railroad; thence southwestly along the centerline of the railroad to its intersection with the centerline of Pullman Avenue projected to the west; thence easterly in the centerline of Pullman Avenue to the centerline of Elmwood Avenue; thence northerly along the centerline of Elmwood Avenue to the north line of the Village of Kenmore; thence easterly along the irregular north line of the Village of Kenmore to a northeast corner of the Village of Kenmore; thence southerly along the east line of the Village to its intersection with a north line of the Village of Kenmore; thence easterly along the same north line of the Village of Kenmore to a northeast corner of the Village of Kenmore; thence southerly along the east line of the Village of Kenmore to the north line of the City of Buffalo; thence westerly along the north line of the City of Buffalo to its intersection with the centerline of Elmwood Avenue.

The common boundary between Legislative District 14 and Legislative District 10 is described as follows:

Beginning at the northeast corner of the corner of the City of Tonawanda; thence southerly along the irregular east line of the City of Tonawanda to the southeast corner of the City of Tonawanda; thence westerly along the south line of the City of Tonawanda to the centerline of former Erie Railroad; thence southeasterly along the centerline of the railroad to its intersection with the centerline of the Youngman Highway; thence westerly along the centerline of the Youngman Highway to its intersection with the centerline of Delaware Avenue; thence southeasterly along the centerline of Delaware Avenue to the intersection of the centerline of Delaware Avenue with a projection to the west of the rear lot lines of lots on the north side of Paramount Parkway.

DISTRICT NO. 11

Part of the Town of Tonawanda; excepting Legislative Districts 10 and 14; and part of the City of Buffalo bordered by Legislative Districts 6 and 7; and excepting Legislative Districts 1, 2, and 3.

The common boundary between Legislative District 10 and Legislative District 11 is described as follows:

Beginning at the intersection of the centerline of Delaware Avenue with the projection to the west in a straight line of the rear line of lots on the north side of Paramount Parkway; thence southerly along the centerline of Delaware Avenue to its intersection with the centerline of the projection to the east

of the rear line of lots on the south side of Lowell Road; thence westerly along the rear line of lots on Lowell Road and rear lines projected westerly to the intersection of the projection with the centerline of Elmwood Avenue; thence southerly along the centerline of Elmwood Avenue to its intersection with the projection of the rear line of lots on the south side of Thurston Avenue; thence westerly along the rear line of lots on the south side of Thurston Avenue and their projection to the intersection of the projection with the centerline of the former NYC & HR Railroad; thence southwestly along the centerline of the railroad to its intersection with the centerline of Pullman Avenue projected to the west; thence easterly in the centerline of Pullman Avenue to the centerline of Elmwood Avenue; thence northerly along the centerline of Elmwood Avenue to the north line of the Village of Kenmore; thence easterly along the irregular north line of the Village of Kenmore to a northeast corner of the Village of Kenmore; thence southerly along the east line of the Village to its intersection with a north line of the Village of Kenmore; thence easterly along the same north line of the Village of Kenmore to a northeast corner of the Village of Kenmore; thence southerly along the east line of the Village of Kenmore to the north line of the City of Buffalo; thence westerly along the north line of the City of Buffalo to its intersection with the centerline of Elmwood Avenue.

The common line between Legislative District 14 and Legislative District 11 is described as follows: Beginning at the intersection of the centerline of Delaware Avenue with an extension to the west in a straight line of the rear line lots on the north side of Paramount Parkway; thence easterly along the rear line of lots on the north side of Paramount Parkway to an extension of the centerline of Jewel Street projected to the north in a straight line; thence southerly along the Jewel Street centerline projection and along the centerline of Jewel Street to the centerline of Traverse Boulevard; thence easterly along the centerline of Traverse Boulevard to its intersection with the centerline of Colvin Boulevard; thence southerly along the centerline of Colvin Boulevard to its intersection with the centerline of Sheridan Drive; thence easterly along the centerline of Sheridan Drive to the east line of the Town of Tonawanda; thence southerly along the east line of the Town of Tonawanda to the north line of the City of Buffalo; thence easterly along the north line of the City of Buffalo to the centerline of Main Street; thence northeasterly along the centerline of Main Street to the centerline of Bailey Avenue.

The common boundary line between Legislative District 7 and Legislative District 11 is described as follows:

Beginning at the intersection of the north line of the City of Buffalo with the centerline of Bailey Avenue; thence southerly along the centerline of Bailey Avenue to its intersection with the centerline of Winspear Avenue; thence westerly along the centerline of Winspear Avenue to its intersection with the centerline of Northrup Place; thence southerly and westerly along the centerline of Northrup Place to its intersection with the centerline of Main Street; thence northeasterly along the centerline of Main Street to its intersection with the centerline of West Winspear Avenue; thence westerly along the centerline of West Winspear Avenue and West Winspear Avenue extended to the lands of the former Erie Lackawanna Railroad; thence southeasterly along the centerline of the lands of the former Erie Lackawanna Railroad to its intersection with the centerline of Main Street; thence southwestly along the centerline of Main Street to its intersection with the centerline of Amherst Street; thence westerly along the centerline of Amherst Street to its intersection with the centerline of Fairfield Street; thence southeasterly along the centerline of Fairfield Street to its intersection with the centerline of Main Street; thence southwestly along the centerline of Main Street to its intersection with the centerline of West Delevan Avenue; thence westerly along the centerline of West Delevan Avenue to its intersection with the centerline of Elmwood Avenue; thence northerly along the centerline of Elmwood Avenue to its intersection with the centerline of Potomac Avenue; thence westerly along the centerline of Potomac Avenue to its intersection with the centerline of Claremont Street.

The common boundary between Legislative District 6 and Legislative District 11 is described as follows:

Beginning in the north line of the City of Buffalo at its intersection with the centerline of Elmwood Avenue; thence southerly along the centerline of Elmwood Avenue to its intersection with the centerline of Bedford Avenue; thence easterly along the centerline of Bedford Avenue to its intersection with the centerline of Lincoln Parkway; thence southerly along the centerline of Lincoln Parkway to its intersection with the centerline of Middlesex Road; thence westerly along the centerline of Middlesex Road to its intersection with the centerline of Elmwood Avenue; thence southerly along the centerline of Elmwood Avenue to its intersection with the centerline of Forest Avenue; thence westerly along the centerline of Forest Avenue to its intersection with the centerline of Claremont Avenue; thence southerly along the centerline of Claremont Avenue to the centerline of Potomac Avenue.

~~DISTRICT NO. 12~~

~~All of the Towns of Brant, North Collins, Boston, Eden, Evans, and Hamburg, except the northerly portion of the Town of Hamburg which lies in Legislative District 1.~~

~~The common line between Legislative District 1 and Legislative District 12 is described as follows: Beginning at the shore line of Lake Erie, the west line of the County of Erie, at its intersection with the centerline of Pleasant Avenue extended to the north; thence southerly, southeasterly, southerly, and generally easterly along the centerline of Pleasant Avenue to its intersection with the centerline of West Pleasant Drive; thence easterly along the centerline of West Pleasant Drive and the centerline extended to the centerline of the New York State Thruway; thence northerly and easterly along the centerline of the New York State Thruway to its intersection with the centerline of South Park Avenue; thence northerly along the centerline of South Park Avenue to its intersection with the centerline of Southwestern Boulevard; thence northeasterly along the centerline of Southwestern Boulevard to its intersection with the centerline of the New York State Thruway; thence northerly along the centerline of the New York State Thruway to its intersection with the centerline of Big Tree Road; thence easterly along the centerline of Big Tree Road to its intersection with the centerline of McKinley Parkway; thence southerly along the centerline of McKinley Parkway to its intersection with the centerline of Bayview Road; thence southeasterly along the centerline of Bayview Road to its intersection with the centerline of Armor Duells Corner Road; thence easterly along the centerline of Armor Duells Corner Road to the east line of the Town of Hamburg.~~

~~DISTRICT NO. 13~~

~~All of the Towns of Orchard Park, Aurora, Colden, Concord and Collins.~~

~~DISTRICT NO. 14~~

~~Part of the Town of Tonawanda except Legislative Districts 10 and 11; part of the Town of Amherst except Legislative Districts 15 and 4; and part of the Town of Cheektowaga except Legislative Districts 4, 8, 9, and 2.~~

~~The common line between Legislative District 14 and Legislative District 11 is described as follows: Beginning at the intersection of the centerline of Delaware Avenue with an extension to the west in a straight line of the rear line lots on the north side of Paramount Parkway; thence easterly along the rear line of lots on the north side of Paramount Parkway to an extension of the centerline of Jewel Street projected to the north in a straight line; thence southerly along the Jewel Street centerline projection and along the centerline of Jewel Street to the centerline of Traverse Boulevard; thence easterly along the centerline of Traverse Boulevard to its intersection with the centerline of Colvin Boulevard; thence southerly along the centerline of Colvin Boulevard to its intersection with the centerline of Sheridan Drive; thence easterly along the centerline of Sheridan Drive to the east line of the Town of Tonawanda; thence southerly along the east line of the Town of Tonawanda to the north line of the City of Buffalo; thence easterly along the north line of the City of Buffalo to the~~

centerline of Main Street; thence northeasterly along the centerline of Main Street to the centerline of Bailey Avenue.

The common boundary between Legislative District 14 and Legislative District 10 is described as follows:

Beginning at the northeast corner of the corner of the City of Tonawanda; thence southerly along the irregular east line of the City of Tonawanda to the southeast corner of the City of Tonawanda; thence westerly along the south line of the City of Tonawanda to the centerline of former Erie Railroad; thence southeasterly along the centerline of the railroad to its intersection with the centerline of the Youngman Highway; thence westerly along the centerline of the Youngman Highway to its intersection with the centerline of Delaware Avenue; thence southeasterly along the centerline of Delaware Avenue to the intersection of the centerline of Delaware Avenue with a projection to the west of the rear lot lines of lots on the north side of Paramount Parkway.

The common line between Legislative District 15 and Legislative District 14 is described as follows:

Beginning at a point in Tonawanda Creek where it is intersected by the north line of the Town of Tonawanda and a south line of the Town of Amherst; thence easterly along the north line of the Town of Tonawanda to the west line of the Town of Amherst; thence southerly along the west line of the Town of Amherst to the centerline of Willow Ridge Drive; thence easterly along the centerline of Willow Ridge Drive to its intersection with the centerline of Chestnut Ridge Road; thence southerly along the centerline of Chestnut Ridge Road to its intersection with the centerline of Edgewater Drive; thence easterly, northerly and easterly along the centerline of Edgewater Drive to its intersection with the centerline of Kaymar Drive; thence southerly, easterly, and northerly along the irregular centerline of Kaymar Drive to its intersection with the centerline of Willow Ridge Drive; thence easterly along the centerline of Willow Ridge Drive to its intersection with the centerline of Sweet Home Road; thence southerly and westerly along the centerline of Sweet Home Road to its intersection with the centerline of the Youngman Highway; thence southerly and easterly along the centerline of the Youngman Highway to its intersection with Main Street; thence continuing southerly on a projection to the south in a straight line of the centerline of the Youngman Highway through the lands of the State of New York to the intersection of the Youngman Highway projection with the north line of the Town of Cheektowaga.

The common boundary between Legislative District 14 and Legislative District 8 is described as follows:

Beginning at a point in the west line of the Town of Cheektowaga at its intersection with a projection to the west of the rear line of lots on the south side of Southgate Road; thence easterly along the south lot lines to a projection to the north in a straight line of the centerline of that part of the westerly part of Kenville Road which runs north and south; thence southerly and easterly along the centerline of Kenville Road and Kenville Road extended easterly in a straight line to the centerline of Harlem Road; thence along the centerline of Harlem Road to the centerline of Homesgarth Avenue; thence east along the centerline of Homesgarth Avenue to the centerline of Roycroft Boulevard; thence southerly along the centerline of Roycroft Boulevard to the centerline of Seton Road; thence east along the centerline of Seton Road to the centerline of Woodbridge Avenue; thence north along the centerline of Woodbridge Avenue to the centerline of Huth Road; thence east along the centerline of Huth Road to the centerline of the New York State Thruway.

The common boundary between Legislative District 4 and Legislative District 14 is described as follows:

Beginning at the intersection of the centerline of the New York State Thruway with the centerline of Huth Road projected to the west; thence northerly along the centerline of the Thruway and the centerline extended to the north in a straight line to the intersection of the extension with the south line of the Town of Amherst.

DISTRICT NO. 15

The Town of Amherst except Legislative Districts 14 and 4.

The common line between Legislative District 15 and Legislative District 14 is described as follows: Beginning at a point in Tonawanda Creek where it is intersected by the north line of the Town of Tonawanda and a south line of the Town of Amherst; thence easterly along the north line of the Town of Tonawanda to the west line of the Town of Amherst; thence southerly along the west line of the Town of Amherst to the centerline of Willow Ridge Drive; thence easterly along the centerline of Willow Ridge Drive to its intersection with the centerline of Chestnut Ridge Road; thence southerly along the centerline of Chestnut Ridge Road to its intersection with the centerline of Edgewater Drive; thence easterly, northerly and easterly along the centerline of Edgewater Drive to its intersection with the centerline of Kaymar Drive; thence southerly, easterly, and northerly along the irregular centerline of Kaymar Drive to its intersection with the centerline of Willow Ridge Drive; thence easterly along the centerline of Willow Ridge Drive to its intersection with the centerline of Sweet Home Road; thence southerly and westerly along the centerline of Sweet Home Road to its intersection with the centerline of the Youngman Highway; thence southerly and easterly along the centerline of the Youngman Highway to its intersection with Main Street; thence continuing southerly on a projection to the south in a straight line of the centerline of the Youngman Highway through the lands of the State of New York to the intersection of the Youngman Highway projection with the north line of the Town of Cheektowaga.

The common boundary between Legislative District 4 and Legislative District 15 is described as follows:

Beginning at the intersection of the south line of the Town of Amherst with a projection to the north in a straight line of the north-south portion of the New York State Thruway; thence easterly along the irregular south line of the Town of Amherst to its intersection with the centerline of Youngs Road; thence northerly along the centerline of Youngs Road to its intersection with the centerline of Main Street; thence easterly along the centerline of Main Street to the southwest corner of Lot 108, Township 12, Range 7 of the Holland Land Company's Survey; thence northerly along the west line of Lot 108 to the centerline of Sheridan Drive; thence westerly along the centerline of Sheridan Drive to its intersection with the centerline of Ayer Road; thence northerly along the irregular centerline of Ayer Road to its intersection with the centerline of Klein Road; thence easterly along the centerline of Klein Road to its intersection with the centerline of Paradise Road; thence northerly along the centerline of Paradise Road to its intersection with the centerline of Wellington Drive; thence westerly along the irregular centerline of Wellington Drive to its intersection with the centerline of Hearthstone Drive; thence northerly along the centerline of Hearthstone Drive to its intersection with the centerline of Wood Acres Drive; thence westerly and northerly along the centerline of Wood Acres Drive to its intersection with the centerline of Buttonwood Lane; thence westerly along the centerline of Buttonwood Lane to its intersection with the centerline of Youngs Road Extension; thence northerly along the centerline of Youngs Road Extension to the centerline of the former New York Central Railroad line; thence westerly along the centerline of the railroad to its intersection with the centerline of Hopkins Road; thence northerly along the centerline of Hopkins Road to the north line of the Town of Amherst.

Section 105 Amended by Local Law No. 1 2010.

Section 105 Amended by Local Law No. 3 2006.

Section 105 Amended by Local Law No. 4 2002.

Section 105 Amended by Local Law No. 2 1991.

Section 105 Amended by Local Law No. 3 1981.

Section 105 Amended by Local Law No. 6 1971.

Section 105 Amended by Local Law No. 1 1967.

~~Section 106. Legislative Districts, continued. The fifteen legislative districts as previously bounded and described by Local Law No. 4-2002, shall continue as such for the limited purpose of continuing in office the legislators presently elected from said districts and shall cease to exist as such on January 1, 2012. For the purpose of the general election of 2011 and all other purposes, except as herein before provided, the county of Erie is divided into eleven districts, described as contained in section one hundred five herein.~~

~~Section 106 Amended by Local Law No. 1-2010.~~

Section 3.

Article 1 Section 113 of the Erie County Charter is hereby amended as follows:

311. Veterans' service agency. There shall be in the office of the County Executive a County Veterans' Service Agency, headed by a director of veterans' services who shall be appointed by and serve at the pleasure of the County Executive. Except as otherwise provided in this Charter, the Director of the County Veterans' Service Agency shall have all the powers and duties of a County Director and a County Service Officer, as those terms are used in article 17 of the NYS executive law and section 800 of the NYS County Law, in relation to veterans' affairs generally and, in conjunction with the division of military and naval affairs and other responsible state agencies, in providing information, support and assistance to members of the armed forces, including members of the reserve components thereof and members of the organized militia ordered into active duty, and veterans, who are residents of this state, and their families, with respect to (1) matters pertaining to educational training and retraining services and facilities, (2) health, medical and rehabilitation services and facilities, (3) provisions of federal, state and local laws and regulations affording special rights and privileges to members of the armed forces and ~~war~~ veterans and their families, (4) employment and re-employment services, and (5) obtaining any benefits and awards to which they may be entitled under any federal, state or local legislation. The director shall perform such additional and related duties as may be proscribed by law, or by the county executive ~~or by resolution of the county legislature.~~

Section 4.

Article 2 of the Erie County Charter is hereby amended as follows:

Article 2 – Legislative Branch – Charter

Section 201. County legislature constituted.

202. Powers and duties.

202.1 Qualifications and eligibility of county legislators.

202.2 Elections and terms of office.

202.3 Increasing the salaries of county elected officials.

202.4 Allocation of funds for the Erie County Legislature.

203. Local laws; definition; power to adopt, amend and repeal; effect on legislative acts.

204. Form and procedure.

205. Procedure for adoption of local laws.

206. Filing and publication of local laws; judicial notice.

207. Referendum.

208. Effective date.

209. Ordinances.

210. Advisory committee on reapportionment.

211. Approval of independent auditors.

Section 5.

Article 2 Section 201 of the Erie County Charter is hereby amended as follows:

Section 201. County legislature constituted. The county legislature shall be composed of eleven members who shall be elected one from each of the eleven legislative districts ~~set forth in section one hundred five hereof.~~ The county legislators representing the eleven districts heretofore or herein created, as the case may be, when lawfully convened shall constitute the county legislature which shall be the legislative and governing body of the county.

Section 6.

Article 2 Section 202.3 of the Erie County Charter is hereby amended as follows:

Section 202.3. Increasing the salaries of county elected officials. The Erie county legislature is hereby prohibited from changing the salary of any county elected official, excluding the district attorney, except in accordance with the following procedure:

1. Prior to acting upon the citizens salary review commission's biennial report, the county legislature shall hold at least one public hearing to solicit public input on said commission's recommendations.
2. Notices of all such public hearings shall be published at least once in the official newspaper or newspapers of the county and in such other newspapers as the county legislature may direct. At least five days but not more than ten days shall elapse between the first publication of such notice and the date specified for the hearing.
3. The county legislature shall have one year from the date said recommendations are submitted to adopt, modify, or reject the recommendations of the citizens salary review commission.
4. Any salaries approved by the county legislature in excess of those recommended by the citizens salary review commission shall be approved by a vote of at least two thirds of all the members of the county legislature.
5. The County Legislature shall specifically establish the effective date of any adjustments in the salaries of elected county officials. No increase in the salary of an elected official shall be permitted for any fiscal year in which there is an increase in the real property **full value** tax levy **rate** over the **real property full value** tax levy **rate** of the previous fiscal year.
Amended by Local Law No. 1 1992.
6. The county legislature's review of salaries as set forth above shall occur during every even year starting with nineteen hundred eighty six. **No increase in the salary of any county elected official shall take effect until the current term of office of the elected official that is to receive an increase in salary has ended.**

Section 7.

Article 2 of the Erie County Charter is hereby amended by adding a new section 202.4 as follows:

Section 202.4. Allocation of funds for the Erie County Legislature. The fund appropriated for the County Legislature in the annual budget, exclusive of the funds for the Office of the Clerk of the County Legislature, shall be allocated to the majority and minority in the proportion that the majority members of the Legislature will bear to the total number of legislators, provided that the majority will not receive more than 65 percent of the funds appropriated for the County Legislature in the annual budget, exclusive of the funds for the Office of the Clerk of the County Legislature, and the proportion that the minority members of the Legislature will bear to the total number of legislators, provided that the minority will not receive less than 35 percent of the funds appropriated for the County Legislature in the annual budget, exclusive of the funds for the Office of the Clerk of the County Legislature, as of the commencement of the fiscal year for which the budget is adopted. The County Legislature

shall adopt an ordinance or resolution to effect the allocation in December of each year where necessary. Notwithstanding anything else to the contrary, this section may only be altered, amended, repealed or superseded by nine affirmative votes of the County Legislature.

Section 8.

Article 2 Section 204 of the Erie County Charter is hereby amended as follows:

Section 204. Form and procedure. Every local law shall be entitled "A local law" (amending etcetera or otherwise as the case may be). If a local law amends a specific state statute or specific local law, the matter to be eliminated shall be enclosed in brackets or parentheses and the new matter underscored or italicized.

1. The Legislature shall hold a public hearing 5-days before a local law, that is not certified as to the necessity of its immediate passage, can be put to a vote; acceptable public notice for this type of public hearing includes posting a notice on the county's official website and distribution of the notice to local media outlets.
2. **If the Legislature amends a proposed local law following a public hearing held pursuant to paragraph (1), the Legislature shall not be required to have a subsequent public hearing, provided that:**
 - a) **The amendments made to original proposed local law are:**
 - I. **In character with the scheme of the original proposed local law; and**
 - II. **The logical outgrowth of the comments given or submitted at the public hearing or comments received from the county attorney pursuant to paragraph (3);**
and
 - b) **The proposed local law as amended neither:**
 - I. **Materially alters the issues involved in the original proposed local law; nor**
 - II. **Substantially departs from the terms or substance of the original proposed local law.**

The final form of a proposed local law shall be upon the desks of the Legislature and accessible to the public on the County's website for at least five calendar days excluding Saturdays and Sundays prior to its final passage.

3. **Following a public hearing held pursuant to paragraph (1) or at any other time as the Legislature may by resolution request, the county attorney shall, no later than 14 days after such a public hearing or resolution, render to the Legislature an opinion as to whether the proposed local law or ordinance is of proper form, including, but not limited to, whether a proposed local law or ordinance is preempted by state or federal law; whether proposed local law or ordinance is written in a grammatically sound manner as to achieve its intent; and whether proposed local law or ordinance contains ambiguities which may frustrate its implementation and/or enforcement as intended.**
Subsection a. Amended by Local Law No. 3-2006.

Section 9.

Article 3 Section 302 of the Erie County Charter is hereby amended as follows:

Section 302. Powers and duties

- b. Except as otherwise provided in this Charter, and subject to confirmation where so provided, appoint to serve during his or her pleasure the head of every department and other administrative unit of the County and the officers and employees in his or her own office.
Prior to appointing the head of any department or other administrative unit of the County, the County Executive shall prominently display a notice on the County's webpage that there is an opening for such position for at least five business days.

Before making any such appointment the County Executive will interview at least one minority or female candidate, provided that a female or minority individual legally qualified to hold the office to be appointed applies for such appointment.

Section 10.

Article 4 of the Erie County Charter is hereby amended as follows:

Article 4 - Department of ~~Finance~~ Real Property Tax Services – Charter

Section 11.

Article 5 Section 503 of the Erie County Charter is hereby amended as follows:

Section 503. Board of health. There shall be in the department a board of health, the members of which shall be appointed by the county executive. The composition of such board in regard to the number of members and professional, governmental or other representation, and the terms of such members, shall be as provided in the Public Health Law for a County Board of Health. The board of health shall at the request of the commissioner, and may on its own initiative, advise on matters relating to the preservation and improvement of the public health and on matters relating to services and facilities of the county laboratory. **The Board may on its own initiative make recommendations and suggestions to the County Executive relative to the qualifications and appointments of the Commissioner of Health and relative to the qualifications and duties of the deputy commissioners, officers or employees of the Department of Health.**

Amended by Local Law No. 8 1989.

Section 12.

Article 8 Section 803 of the Erie County Charter is hereby amended as follows:

Section 803. County parks and other recreation facilities. The county legislature is hereby authorized on behalf of the county to accept by gift and to acquire by purchase, condemnation, lease or otherwise, real property for the purposes set forth in section ~~seven~~ **eight** hundred two hereof. The county legislature may abandon such purposes by local law and may dispose of such property.

Section 13.

Article 10 Section 1001 of the Erie County Charter is hereby amended as follows:

Section 1001. Department of environment and planning; commissioner; qualifications. There shall be a department of environment and planning headed by a commissioner. He or she shall be appointed by the county executive, subject to confirmation by the county legislature. He or she shall possess not less than a baccalaureate degree in an appropriate subject field and suitable experience in private or public administration and environmental ~~control~~ **resource programs** or regional, county or municipal planning.

Section 14.

Article 10 of the Erie County Charter is hereby amended as follows:

Article 10 - Department of Environment and Planning – Charter

Section 1001. Department of environment and planning; commissioner; qualifications.

1002. Powers and duties of commissioner.

1003. County environmental quality code.

1004. Erie County Environmental Management Council.

Section 15.

Article 10 of the Erie County Charter is hereby amended by adding a new Section 1004 as follows:

Section 1004. Erie County Environmental Management Council

- 1004.1 Declaration of policy.
- 1004.2 Establishment of the Erie County Environmental Management Council; membership.
- 1004.3. Powers, duties and functions of the council.
- 1004.4 Compensation and expenses.
- ~~1004.5. Effective date.~~

Section 1004.1. Declaration of Policy. The Legislature hereby finds and declares that the management and conservation of our environment is essential to the health and well-being of the people of the county. Local understanding of the importance of all aspects of the environment is necessary for the most wise and balanced use of our natural resources. Local and inter municipal participation is imperative in the planning and control of activities which influence the ecological balance of the county and the natural and functional beauty of its surroundings.

The Legislature, therefore, deems it in the best interest of the County that an Erie County Environmental Management Council be responsible for reviewing and advising local and state government on present and proposed methods and plans for preserving, enhancing, and using the environment for the protection and benefit of all the people, and for fostering unified action on environmental problems among local governments and among public and private agencies and organizations operative within the County.

Section 1004.2. Establishment of the Erie County Environmental Management Council; membership. There is hereby established, pursuant to article 47 of New York State Environmental Conservation Law and New York Municipal Home Rule Law, a county environmental management council, to be known as the Erie County Environmental Management Council, hereinafter called the Council. The Council shall be appointed by the County Executive, subject to the confirmation of the Legislature, and shall consist of twelve members at large and one member recommended to the County Executive by and from each town, village or city environmental or conservation management council established by the official governing body of such town, village or city. The term of all members shall be two years. Vacancies on the Council shall be filled in the same manner as the original appointment except that a vacancy occurring through circumstances other than by expiration of term of office shall be filled only for the remainder of the unexpired term. In addition, the Commissioner of Environment and Planning, and the Commissioner of Health, shall be ex officio voting members of the Council.

The County Executive shall appoint one member of the Council as chairman thereof. The Council shall meet at least four times each year. The Council shall adopt rules and procedures for its meetings, shall keep accurate records of its meetings and activities, and shall file the annual report as provided in section sixteen hundred twenty two of this law.

Amended by Local Law No. 2 1977.

Amended by Local Law No. 16 1974.

Amended by Local Law No. 1 1972.

Section 1004. 3. Powers, duties and functions of the Council. The Council shall review and investigate ecologically sound methods of planning the use of the County's resources. In conjunction with the Deputy Commissioner of Environmental Compliance it shall prepare an annual recommendations report based on that investigation, and transmit same to the County Executive and the Legislature. The report shall include a section on the needs of those living in

areas of urban or rural poverty where the impact of environmental degradation may be more severe.

The Council shall keep an index of all open areas within the county, with the plan of obtaining information pertinent to sound ecological utilization of such areas including land owned by any municipality within the county. It shall keep an index of all open marsh lands, swamps, and all other wet lands in a like manner, and may recommend a program for their ecologically suitable utilization.

The Council shall develop and maintain an inventory of natural resources within the county and such other environmental information as may be appropriate. Said inventory shall include wetlands and open spaces and may include, but not be limited to, factors relating to geology, soils, slope, water resources, vegetation, wildlife habitat unique natural areas, and scenic, historic, and archaeological sites.

The Council shall advise and make recommendations to the County Executive and the legislature as they may director as may be deemed appropriate on matters affecting the preservation development, and use of the natural and human made features and conditions of the County insofar as they have a bearing on environmental quality and on the effects of human activities and development on environmental quality.

The Council shall develop, recommend and assist in the conduct of a program of public information in the County which shall be designed to increase understanding of the environmental problems and issues and to foster support for their solutions.

The Council shall develop, recommend and assist in the conduct of a program to improve the coordination and effectiveness of public and private projects and activities in the County in accord with the purposes of this law, working in cooperation with the environmental or conservation commissions in the cities, towns, and villages within the county and with other public and private agencies, focusing particularly on those matters relating to environmental quality which require intergovernmental action.

The Council shall maintain liaison with the county planning board, local and regional planning agencies, regional water resources planning and development boards, environmental management councils or their equivalents in counties adjacent to the County of Erie, and other such public and private regional bodies in the United States and Canada affecting the conservation of environmental quality, with the purpose of improving coordination of planning and activities.

Section 1004.4. Compensation and expenses. Unless otherwise provided by recommendations of the County Executive and resolution of the Legislature, the members of the Council shall receive no compensation for their services but shall be reimbursed for their expenses actually and necessarily incurred in the performance of their duties hereunder.

~~Section 1004.5. Effective date. This local law shall take effect immediately.~~

Section 16.

Article 11 Section 1103 of the Erie County Charter is hereby amended as follows:

Section 1103. Divisions of the department. There shall be within the department of public works the following divisions: highways; buildings and grounds; **Fleet Services**; and weights and measures.

Section 17.

Article 12 of the Erie County Charter is hereby amended as follows:

Article 12 - Department of Social Services ~~Welfare~~ – Charter

Section 1201. Department of social Services ~~welfare~~; commissioner; county welfare act repealed.

1202. Powers and duties of the commissioner.

~~1203. Welfare advisory board.~~

12034. Division of Youth Services.

12045. Youth Bureau Board.

12056. Executive Director of Youth Bureau.

Section 1201. Department of social Services ~~welfare~~; commissioner; county welfare act repealed. There shall be a department of social welfare headed by a commissioner who shall be appointed by the county executive subject to confirmation by the county legislature. The Erie county social welfare act, being chapter twenty eight of the laws of nineteen hundred thirty-eight as amended, is hereby repealed as of January first, nineteen hundred sixty-one.

Section 1202. Powers and duties of the commissioner. Except as otherwise provided in this charter, the commissioner of social Services ~~welfare~~ shall:

~~1. H~~1. ~~H~~have all the powers and perform all the duties conferred on or required of a county commissioner of public welfare under the social welfare law or other applicable law, and.

~~2. REPEALED by Local Law No. 9 1989.~~

~~3. Establish a system whereby foster parents shall have in their possession authorization for immediate emergency medical treatment for all foster children in their care.~~

~~4. Establish an emergency telephone service, either within the Erie county department of social services or by contract arrangement with a related agency, which emergency telephone service shall be available on a twenty four hour basis for medical, psychiatric and non medical crises.~~

~~5. P~~5. ~~P~~perform such additional and related duties as the county executive may prescribe.

Amended by Local Law No. 6 1975.

~~Section 1203. Welfare advisory board.~~ There shall be in the department a welfare advisory board of seven members appointed by the county executive for five year staggered terms. At least one member of such board shall be a physician licensed to practice in the state of New York. The welfare advisory board shall at the request of the commissioner, and may on its own initiative, advise on matters relating to the operation and improvement of the department or involving social welfare.

Section 12034. Division of Youth Services. There shall be within the department of social Services ~~welfare~~ a division of youth services, headed by a deputy commissioner. In addition to all other duties prescribed by local law, ordinance or resolution of the Legislature or by the commissioner of social Services ~~welfare~~, the deputy commissioner of the division of youth services shall have charge of youth detention services and the youth bureau.

~~Section 1204 added by Local Law No. 3 2006.~~

Section 12045. Youth Bureau Board. There shall be established a youth bureau board to the division of youth services of the department of social Services ~~welfare~~.

~~Section 1205 added by Local Law No. 3 2009.~~

Section 12056. Executive Director of Youth Bureau. There shall be an executive director of the youth bureau within the division of youth services of the department of social Services ~~welfare~~. The

executive director shall be appointed by the county executive ~~subject to confirmation by the county legislature.~~

Section 1206 added by Local Law No. 3-2009
Article 12 was formerly numbered Article XI.

Section 18.

Article 13 of the Erie County Charter is hereby amended as follows:

Section 1301. Department of mental health; commissioner. There shall be a department of mental health, the head of which shall be the commissioner of mental health. He or she shall be appointed by the county executive subject to confirmation by the county legislature. The commissioner shall meet those qualifications fixed by the state **Office department** of mental **Health hygiene** and in existence at the time of his or her appointment.

Amended by Local Law No. 2 1988.

Section 1302. Powers and duties. Except as otherwise provided in this charter, the commissioner of mental health shall have all the powers and perform all the duties conferred or imposed upon directors of mental health and/or community health boards by law. Within appropriations made available there for, the commissioner shall perform all duties with respect to child mental health services. **The commissioner or his or her designee shall serve as the Director of Community Services prescribed by Mental Hygiene Law §41.09.** He or she shall perform such additional and related duties as the county executive may prescribe.

Amended by Local Law No. 2 1989.

Section 19.

Article 14 of the Erie County Charter is hereby amended as follows:

Article 14 - Department of Homeland Security and Emergency Services – Charter

Section 1401. Department established; commissioner of **Homeland Security and** Emergency Services.

1402. Powers and duties.

1403. Advisory boards.

Section 1401. Department established; commissioner of Homeland Security and emergency services. There shall be a department of **Homeland Security and** emergency services, the head of which shall be the commissioner of **Homeland Security and** emergency services. He or she shall be appointed by the county executive subject to confirmation by the county legislature to serve at the pleasure of the county executive.

Section 1402. Powers and duties. The commissioner of **Homeland Security and** emergency services shall:

1. Have all the powers and perform all the duties conferred or imposed upon county directors of emergency medical services by the laws of the state of New York.
2. Plan, develop and coordinate, to the extent authorized by law or agreement, the implementation of protocols and procedures for, and the provision of, emergency medical services within the county of Erie, including, but not limited to: training and certification of persons as emergency medical technicians at one or more levels of service; communications services, including medical telemetry and control, between hospitals and ambulances by medical emergency radio system; ambulance dispatching, inspection and certification.

3. Have all the powers and shall perform all of the duties conferred or imposed upon county fire coordinators by the laws of the state of New York.
4. Have all the powers and execute the duties of the county executive in his or her capacity as the county's local director of civil defense under the New York state defense emergency act, being chapter eighty four of the laws of nineteen hundred and fifty one, as amended.
5. Develop, make public and regularly amend a county disaster preparedness plan, in accordance with article two B of the executive law, for the coordination of emergency services in the event of natural or other disaster or emergency.
6. Coordinate the provision of homeland security, disaster, and emergency assistance by local disaster preparedness and civil defense forces in the event of a declaration by the county executive of a state of emergency or disaster within the county or in the case such assistance is requested by the chief executive of any city, town or village within the county.
7. Originate, coordinate, and promote programs with respect to fire safety, emergency medical services, homeland security and disaster preparedness within the county of Erie.
8. Perform such further duties as may be prescribed or directed by the county executive or the county legislature.
9. Plan for emergency communications and maintain a tactical interoperable communication plan to meet federal guidelines.

Section 20.

Article 15 of the Erie County Charter is hereby amended as follows:

Section 1501. Department of central police services; commissioner. There shall be a department of central police services, the head of which shall be the commissioner of central police services. He or she shall be appointed by the county executive, subject to confirmation by the county legislature, from a list of ~~three~~ six qualified candidates, one of which must be female, and an additional one of which must be from an under-represented minority group, provided by the central police services board of trustees. The commissioner shall serve at the pleasure of the county executive.

Section 1503. Board of trustees. The county executive shall appoint a central police services board of trustees of ~~seven~~ nine members which shall set the policy for the department and advise on matters relating to programs of professional and technical services to police agencies in the county. Should the office of commissioner become vacant, the central police services board of trustees shall submit a list of ~~three~~ six qualified candidates, one of which must be female, and an additional one of which must be from an under-represented minority group, to the county executive. Such board shall be composed of the commissioner of police of the city of Buffalo or the designee thereof; ~~the inspector, division of administration and communications, Buffalo police department; the Erie county sheriff or the designee thereof; a member designee of the Erie county chiefs of police association; a designee of the county executive; a member of the Erie county legislature designated by the chairman of the legislature; and a designee of the association of Erie county governments, who is an elected official.~~ two members designated by the Erie County Sheriff, one of whom can be the Erie County Sheriff; two members designated by the Erie County Chiefs of Police Association; a designee of the County Executive; a member of the Erie County Legislature designated by the Chairman of the Legislature; a member of the Erie County Legislature designated by the Minority Leader of the Legislature; and a designee of the Association of Erie County Governments, who is an elected official. Such board shall be responsible to the County Executive.

Section 21.

Article 16 Section 1601 of the Erie County Charter is hereby amended as follows:

Section 1601. Department of senior services; commissioner. There shall be a department of senior services, the head of which shall be the commissioner. The Commissioner of said department shall be appointed by and shall serve at the pleasure of the County Executive. ~~There shall be no deputy commissioner nor shall any position be created, by whatever title, providing for duties and emoluments which would be appurtenant in fact to the office of a deputy commissioner of the department.~~

Section 22.

Article 17 of the Erie County Charter is hereby amended as follows:

Article 17 - ~~Office~~ Department of Public Advocacy – Charter

Section 1701. Office of public advocacy

1702. Division of equal employment opportunity, Diversity and Inclusion.

1703. Advisory board to division of equal employment opportunity, Diversity and Inclusion

1704. Division on the status of women

1705. Advisory commission to division on the status of women

1706. Division for Persons with Disabilities. ~~the disabled~~

1707. Advisory board to division for Persons with Disabilities. ~~the disabled~~

~~1708. Consumer protection committee~~

Section 1701. ~~Office~~ Department of public advocacy. There shall be an ~~office~~ Department of public advocacy, the head of which shall be the commissioner. The commissioner of said ~~office~~ Department shall be appointed from among the division directors by, and shall serve at the pleasure of, the county executive, subject to approval of the county Legislature. The commissioner of the ~~office~~ Department shall:

1. Serve in the capacity of countywide public advocate for all residents of Erie county, overseeing the day-to-day operations of the division of equal employment opportunity, division on the status of women, division for the disabled and consumer protection committee;
2. Report to the county executive and the Legislature on an annual basis on all activities related to fulfilling the obligations of the ~~office~~ Department of public advocacy.

Section 1702. Division of equal employment opportunity, Diversity and Inclusion. There shall be a division of equal employment opportunity, Diversity and Inclusion, the head of which shall be the director. The director of said office shall be appointed by and shall serve at the pleasure of the commissioner. The division shall:

1. Direct and be responsible for all equal employment activities of the county and establish a county affirmative action plan and policies and assist in their execution;
2. Monitor personnel changes and procedures, file annual reports with the equal employment opportunity commission (EEOC), ensure Affirmative Action compliance in all County contracts, assist minority/women owned business enterprises in the certification procedures, process complaints of discrimination and sexual harassment and conduct EEO/AA training for Erie county personnel.

Section 1703. Advisory board to division of equal employment opportunity, Diversity and Inclusion. There shall be established an advisory board to the division of equal employment opportunity, Diversity and Inclusion which shall be known as the Minority and Women Utilization Advisory Board. The Board will evaluate and review the adequacy of the County's

Affirmative Action Plan. It will also evaluate and review the adequacy of the County's efforts on behalf of Minority and Women's Business Enterprises. Members will receive community input for improvement of employment opportunities with the County. Appointments must reflect an equitable representation of the groups affected by the Equal Employment Opportunity Act of 1972 as amended.

Section 1706. Division for Persons with Disabilities ~~the disabled~~. There shall be a division for **Persons with Disabilities ~~the disabled~~**, the head of which shall be the director. The director of said office shall be appointed by and shall serve at the pleasure of the commissioner. The division shall:

1. Evaluate and provide reasonable accommodations to county employees under the Americans with Disabilities ACT (ADA) or New York Executive Law in conjunction with the county attorney's office, labor relations department and the unions;
2. Advocate the benefits and services which disabled persons are entitled to under the law and represent **persons with disabilities ~~the disabled~~** in various area of concern affecting their rights as citizens;
3. Identify and recommend to public and private agencies and organizations which serve **persons with disabilities ~~the disabled~~**, to the county Legislature and to the county executive appropriate sources of state, federal and private financial assistance for purposes of comprehensively expanding services and programs for **persons with disabilities ~~the disabled~~**;
4. Act as the county administrative officer for planning and coordinating services for **persons with disabilities ~~the disabled~~** in cooperation with the county executive, county Legislature, county departments and public and private agencies and organizations which serve **persons with disabilities ~~the disabled~~**;
5. Submit an annual report in accordance with the Americans with Disabilities ACT (ADA) of activities and recommendations to the county executive and county Legislature.

Section 1707. Advisory board to division for Persons with Disabilities ~~the disabled~~. There shall be established an advisory board to the division for **Persons with Disabilities ~~the disabled~~**.

~~Section 1708. Consumer protection committee. There shall be a consumer protection committee. The committee shall:~~

- ~~1. Undertake activities to encourage business and industry within the county to maintain high standards of honesty and fair business practices, and to act responsibly in the production, promotion and sale of consumer goods and services, in the extension of credit and in the collection of consumer debts;~~
- ~~2. Investigate and analyze resources and services available to consumers within the departments of Erie county government and programs funded by Erie county and shall recommend measures to coordinate, consolidate or expand these resources and services to provide maximum efficiency and effectiveness;~~
- ~~3. Increase consumer awareness and competence through the development of educational programs emphasizing preventive education, the creation and distribution of publications, the use of communications media and a speakers bureau;~~
- ~~4. Submit an annual report of its activities and recommendations to the county executive and county legislature;~~
- ~~5. Have a minimum of four public meetings each year at which meetings the business of the committee shall be conducted.~~

~~To effectuate the purpose of this section, the commissioner and the county executive shall require any county department, division, board, council, committee or agency to provide such facilities, assistance and data as will enable the committee to properly effectuate its powers and duties. The number of members on the committee, the procedure for appointing them, the length of their terms, and the functioning of the committee shall be as specified in section 1607 on advisory boards, with the exception that the county executive shall designate the chairperson from among the members of the committee.~~

~~A staff person from the office of the county executive, or other county department or division as designated by the county executive, shall serve as liaison between the committee and office of the county executive. The liaison shall attend committee meetings, secure meeting space, assign clerical assistance as needed and assign storage for documents of the committee.~~

Article 17 is former Article 18, amended by Local Law No. 3-2009.

Amended by Local Law No. 1-2008.

Added by Local Law No. 3-2006.

Section 23.

Article 18 Section 1802 of the Erie County Charter is hereby amended as follows:

Section 1802. Powers and duties. The comptroller shall:

- k. With the assistance of the county attorney or his or her designee, prepare bond resolutions for approval by the county legislature and secure funds from the bond market for approved capital projects. Notification of plans to secure both funds shall be provided to the county executive and the legislature fifteen days in advance of borrowing. A report of funds secured shall be provided to the county executive, legislature, ~~finance commissioner~~, and budget director within fifteen days after funds are secured. This report shall disclose the type of instrument used, all costs associated with the borrowing interest rate, and repayment schedule. In addition, once the Erie county legislature and county executive approve the bond resolution, the comptroller must, as requested, seek financing of said bond resolution. Furthermore, after the required approvals by the Erie county legislature and the county executive, funds approved for capital projects must be released by the comptroller.
- l. Prepare annual cash flow statements, monitor cash flow, and when necessary, secure short term funds. Notification of plans to secure short term funds shall be provided to the county executive and the legislature fifteen days in advance of borrowing. A report of funds secured shall be provided to the county executive, legislature, ~~finance commissioner~~, and budget director within fifteen days after funds are secured. This report shall disclose the type of instrument used, all costs associated with the borrowing, interest rate, and repayment schedule.
- n. Provide the director of budget and management, ~~the finance commissioner~~, and the county executive with complete debt service information for the annual budget, information on the monthly cash flow statements, and other reports as required, in accordance with time guidelines established by the budget director.

Section 24.

Article 21 of the Erie County Charter is hereby amended as follows:

Article 21 - Sheriff – Charter

Section 2101. Election.

2102. Powers and duties.

2103. Deputies and employees.

2104. ~~Erie county holding center~~ **Jail Management Division.**

2105. ~~Appointment of superintendent~~ Police Services Division.

2106. Correctional Health Division.

Section 2103. Deputies and employees. The employees of the Erie County Sheriff's Office shall be in the classified service under the provisions of the Civil Service Law of the state of New York, and shall be subject to and governed and controlled by the rules and regulations of the New York State Department of Civil Service as follows:

- 1. All personnel employed by the Sheriff of Erie County in the following titles, shall be within the competitive class of the classified service: assistant chief deputy, criminal; deputy sheriff, criminal; deputy sheriff, officer; corrections officer; senior communications officer; communications officer, chief identification officer; identification officer; principal guard; jail guard; hospital guard.**
- 2. Personnel holding the following titles shall be within the non-competitive class of the classified service: chief criminal deputy; chief deputy civil; chief of administration; chief of technology and technical criminal services; superintendents of jails; first deputy superintendents; cook; assistant cook; registered nurse; hospital guard (PT); special deputy (PT).**
- 3. Personnel holding the following title shall be within the exempt class of the classified service: chaplain.**

~~a. The deputies and employees of the Erie county sheriff's department shall be in the classified service under the provisions of the civil service law of the state of New York, and shall be subject to and governed and controlled by the rules and regulations of the New York state department of civil service as follows:~~

- ~~1. All personnel employed by the sheriff of Erie county in the following titles, shall be within the competitive class of the classified service: assistant chief deputy, criminal; deputy sheriff, criminal; senior communications officer; communications officer, chief identification officer; identification officer; principal guard; jail guard; hospital guard; matron; steward.~~
- ~~2. Personnel holding the following titles shall be within the non-competitive class of the classified service: chief criminal deputy; superintendent of jails; assistant superintendent of jails; cook; assistant cook; registered nurse; medical aide; extern; hospital guard (PT); special deputy (PT).~~
- ~~3. Personnel holding the following titles shall be within the labor class of the classified service: laborer; cleaner; kitchen helper.~~
- ~~4. Personnel holding the following titles shall be within the exempt class of the classified service: protestant chaplain; catholic chaplain.~~
- ~~5. Detective deputies and special deputies shall be temporary assignments, to be made by the sheriff from the ranks of the criminal deputies, and to serve at his or her pleasure, within the limitations set forth in any bargaining agreement pursuant to the provisions of the public employees' fair employment act.~~

~~b. Personnel holding the following titles shall be continued within the classification known as "Flaherty": undersheriff; inspector; deputy sheriff, civil (including court deputies); deputy sheriff, female; secretary to the sheriff; principal deputy, courts; assistant chief deputy sheriff, civil; assistant to bookkeeper; chief account clerk; senior account clerk; cashier; senior clerk stenographer; clerk stenographer; clerk typist; telephone operator. Appointments to these positions shall be made by the sheriff, to serve at his or her pleasure within the limitations set forth in any bargaining agreement pursuant to the provisions of the public employees' fair employment act.~~

- ~~c. All titles other than those listed in subdivisions A and B above shall be classified in accordance with the rules and regulations of the civil service law of the state of New York.~~
- ~~d. All personnel employed by the Erie county sheriff's department who hold positions which are within the classified service under the New York state civil service law and who have served for one year in their respective positions prior to the effective date of this local law shall be covered in in the respective positions without further examination.~~

~~Subsection D. Added by Local Law No. 5 1973.~~

~~NEW section 2103 (formerly 2203, formerly 1503) Added by Local Law No. 4 1973.~~

~~Former section 1503 **REPEALED** by Local Law No. 4 1973.~~

~~Former section 1503 Added by Local Law No. 2 1969~~

~~1969 Local Laws of Cities, Counties, Towns and Villages.~~

Section 2104. Jail Management Division. The Sheriff shall appoint the Superintendent of the Jail Management Division to serve at his or her pleasure. The Erie County Jail and Correctional Facility shall be known hence forth as the Jail Management Division. Whenever the terms "Erie County Jail", "County Jail" or "Erie County Correctional facility" when used in reference to the Erie County Jail or Correctional Facility, or any variations of these terms appear in this Charter, the Erie County Administrative Code, or in any other statute, local law or ordinance, they shall be deemed as applying to the Jail Management Division.

~~Erie county holding center. The Erie county jail shall be known hence forth as the Erie county holding center. Whenever the terms "Erie county jail", "county jail", or "correctional facility" when used in reference to the Erie county jail, or any variations of these terms appear in this charter, the Erie county administrative code, or in any other statute, local law or ordinance, they shall be deemed as applying to the Erie county holding center.~~

~~Added by Local Law No. 12 1973.~~

Section 2105. Police Services Division. There shall be a Police Services Division. The Sheriff shall appoint a Chief Criminal Deputy to oversee the division who shall serve at the pleasure of the Sheriff. It shall be the duty of the Police Services Division to act as conservator of the peace, to prevent and detect crime, and to apprehend criminals.

~~The sheriff shall appoint the superintendent of the Erie county correctional facility to serve at his or her pleasure. At the discretion of the Sheriff, the superintendent may hold another position within the Erie county sheriff's department. In such a case, the superintendent shall only be paid the salary of one position as designated by the sheriff.~~

~~Added by Local Law No. 5 2000.~~

Section 2106. Correctional Health Division. There shall be a division of Correctional Health and it shall be headed by a First Deputy Superintendent – Compliance and a Director of Correctional Health Services. The First Deputy Superintendent – Compliance shall be appointed by the Sheriff and serve at his pleasure. The Director of Correctional Health Services shall be in the competitive class.

Section 25.

Article 22 of the Erie County Charter is hereby amended as follows:

Article 22 - Other County Boards, Offices, Institutions and Functions – Charter

Section 2201. Board of elections.

2202. Traffic safety advisory board.

- 2203. Department of Probation.
- 2204. Other boards; how appointed.
- 2205. Advisory boards.
- 2206. Additional appointments by county executive.
- 2207. Miscellaneous administrative functions.
- 2208. ~~Erie and Niagara counties regional planning board.~~ **Poverty Advisory Board.**

Section 26.

Article 22 Section 2203 of the Erie County Charter is hereby amended as follows:

Section 2203. Department of Probation. There shall be a department of Probation headed by a commissioner who shall be appointed by the county executive, subject to confirmation by the county legislature. **Probation Officers and Supervisors staffing the Probation Department shall be New York State Certified Peace Officers and have met the mandated training requirement of a Probation Officer as specified by the New York Department of Criminal Justice Service and appointed under the provisions of New York Civil Service Law.**

Section 27.

Article 22 Section 2204 of the Erie County Charter is hereby amended as follows:

Section 2204. Other boards; how appointed. The ~~alcoholic beverage control board, the~~ board of trustees of the Buffalo and Erie county public library; **and** the board of trustees of the S.U.N.Y. at Erie Community College, ~~the fire advisory board and the vocational education and extension board~~ shall continue as provided by law except that the power of appointment residing in the county legislature or in the chairman thereof of one or more members of each of said boards is transferred to and shall be exercised on and after January first, nineteen hundred and sixty one, by the county executive, subject to confirmation by the county legislature. The appointment of any head, board or agency in relation to a county sewer, water, drainage or small water shed protection district or to any other county district of a similar nature shall be by the county executive and shall be subject to confirmation by the county legislature. Except as otherwise provided in this charter or the administrative code, other appointments to boards and like units shall be made in the manner provided by applicable law.

Amended by Local Law No. 3-2006.

Section 28.

Article 22 Section 2205 of the Erie County Charter is hereby amended as follows:

Section 2205. Advisory Boards

- k. Every effort shall be made to achieve diversity on advisory boards.**

Section 29.

Article 22 Section 2206 of the Erie County Charter is hereby amended as follows:

Section 2206. Additional appointments by county executive. The ~~county historian, the veterans' service officer and the~~ head of any other county administrative unit, except as otherwise provided in this charter, shall be appointed by the county executive, subject to confirmation by the county legislature. All such appointees shall serve at the pleasure of the county executive.

Section 30.

Article 22 Section 2208 of the Erie County Charter is hereby deleted as follows:

~~Section 2208. Erie and Niagara counties regional planning board.~~ The county executive shall, subject to confirmation by the county legislature, appoint all Erie county members of the Erie and

Niagara counties regional planning board, notwithstanding any inconsistent provisions of any general or specific law. "There shall be no ex officio members of such board." Added by Local Law No. 1 1974.

Section 31.

Article 22 of the Erie County Charter is hereby amended by adding new Section 2208 as follows:

Section 2208. Poverty Advisory Board. There shall be a Poverty Advisory Board of seven members appointed by the County Executive for five year staggered terms. At least one member of such board shall be a physician licensed to practice in the State of New York and at least one member shall be a social worker employed in Erie County. The Poverty Advisory Board shall have at least four meetings each year with at least one meeting to be in each quarter of the year. The Poverty Advisory Board shall advise County departments on matters relating to social welfare.

Section 32.

Article 22-A of the Erie County Charter is hereby amended as follows:

~~Article 22-A – Erie County Environmental Management Council – Charter~~

~~Section 22-A-01. Declaration of policy.~~

~~22-A-02. Establishment of the Erie county environmental management council;
membership.~~

~~22-A-03. Powers, duties and functions of the council.~~

~~22-A-04. Compensation and expenses.~~

~~22-A-05. Effective date.~~

~~Section 22-A-01. Declaration of policy. The legislature hereby finds and declares that the management and conservation of our environment is essential to the health and well-being of the people of the county. Local understanding of the importance of all aspects of the environment is necessary for the most wise and balanced use of our natural resources. Local and inter-municipal participation is imperative in the planning and control of activities which influence the ecological balance of the county and the natural and functional beauty of its surroundings.~~

~~The legislature, therefore, deems it in the best interest of the county that a county environmental management council be responsible for reviewing and advising local and state government on present and proposed methods and plans for preserving, enhancing, and using the environment for the protection and benefit of all the people, and for fostering unified action on environmental problems among local governments and among public and private agencies and organizations operative within the county.~~

~~Section 22-A-02. Establishment of the Erie county environmental management council;
membership. There is hereby established, pursuant to article nineteen of the conservation law and the municipal home rule, a county environmental management council, to be known as the Erie county environmental management council, hereinafter called the council. The council shall be appointed by the county executive, subject to the confirmation of the legislature, and shall consist of twelve members at large and one member recommended to the county executive by and from each town, village or city environmental or conservation management council established by the official governing body of such town, village or city. The term of all members shall be two years. Vacancies on the council shall be filled in the same manner as the original appointment except that a vacancy occurring through circumstances other than by expiration of term of office shall be filled only for the remainder of the unexpired term. In addition, the commissioner of environment and planning, the commissioner of health, and are representative of the Erie and Niagara counties regional planning board shall be ex officio voting members of the council.~~

~~The county executive shall appoint one member of the council as chairman thereof. The council shall meet at least four times each year. The council shall adopt rules and procedures for its meetings, shall keep accurate records of its meetings and activities, and shall file the annual report and plan as provided in section sixteen hundred twenty two of this law.~~

~~Amended by Local Law No. 2 1977.~~

~~Amended by Local Law No. 16 1974.~~

~~Amended by Local Law No. 1 1972.~~

~~Section 22-A-03. Powers, duties and functions of the council. The council shall review the state of the county environment as a whole, and shall present a preliminary report of its findings to the county executive and the legislature on or before September first, nineteen hundred seventy one and a full report annually thereafter. The council shall cooperate with the planning commissioner in annually preparing a plan for the protection of the county's environment and the management of its natural resources, and shall transmit it to the county executive and the legislature. The council shall investigate and recommend to the county executive and the legislature ecologically sound methods of planning the use of the county's resources.~~

~~The council shall investigate all of the operations of county government in its various departments with respect to the environment and ecology of the county, analyze such investigation, and within three months after its creation report to the county executive and the legislature the feasibility and the advisability of creating in the county of Erie a department of environmental conservation to which all of the presently scattered activities with respect to the environment and ecology would be transferred for administration in a manner similar to that of the New York state department of environmental conservation.~~

~~The council shall prepare and keep current an index of all open areas within the county, including but not limited to those open land areas, scenic and natural features, natural areas, shorelines, marshlands, swamps, and other wetlands in the county and including such lands owned by any municipality within the county, for the purpose of obtaining information pertinent to the preservation, enhancement, and use of such areas. The council may recommend to the county executive and legislature a program for the protection, preservation, and use of such areas.~~

~~The council shall advise and make recommendations to the county executive and the legislature as they may direct or as may be deemed appropriate on matters affecting the preservation, development, and use of the natural and man made features and conditions of the county insofar as they have a bearing on environmental quality and on the effects of man's activities and development on environmental quality.~~

~~The council shall develop, recommend and assist in the conduct of a program of public information in the county which shall be designed to increase understanding of the environmental problems and issues and to foster support for their solutions.~~

~~The council shall develop, recommend and assist in the conduct of a program to improve the coordination and effectiveness of public and private projects and activities in the county in accord with the purposes of this law, working in cooperation with the environmental or conservation commissions in the cities, towns, and villages within the county and with other public and private agencies, focusing particularly on those matters relating to environmental quality which require intergovernmental action.~~

~~The council shall maintain liaison with local and regional planning agencies, regional water resources planning and development boards, environmental management councils or their equivalents in counties adjacent to the county of Erie, and other such public and private regional bodies in the United States and Canada affecting the conservation of environmental quality, with the purpose of improving coordination of planning and activities.~~

~~To assist in carrying out the aforementioned functions the council may:~~

- a. ~~Conduct or recommend studies, surveys and inventories as are in accord with the general purposes of this law, and do so with appropriate coordination with existing or prospective work of a similar nature performed by federal, state, county, municipal, or private agencies and organizations.~~
- b. ~~Cooperate with and assist such other governmental or non-governmental boards or organizations in the preparation of plans or reports or the review of proposals or applications as the county executive or legislature may direct.~~
- c. ~~Advertise, prepare, print, and distribute books, maps, charts, and pamphlets if in its judgment and within appropriations therefor it deems them necessary for its work.~~
- d. ~~Hold public and private hearings for specified purpose of this law.~~
- e. ~~Report its findings to the county executive, county legislature, public and private agencies and organizations, and interested private citizens.~~

~~Section 22-A-04. Compensation and expenses. Unless otherwise provided by recommendations of the county executive and resolution of the legislature, the members of the council shall receive no compensation for their services but shall be reimbursed for their expenses actually and necessarily incurred in the performance of their duties hereunder.~~

~~Section 22-A-05. Effective date. This local law shall take effect immediately. Added by Local Law No. 3-1971.~~

~~Article 22-A was formerly numbered 23-A, which was formerly numbered Article XVI-A.~~

Section 33.

Article 22 of the Erie County Charter is hereby amended as follows:

Article 22-~~BA~~ - Citizens Salary Review Commission – Charter

Section 22-~~BA~~-01. Establishment and membership.

22-~~BA~~-02. Duties of commission.

Section 22-~~BA~~-01. Establishment and membership. There is hereby established a citizens salary review commission, to be known as the citizens salary review commission of Erie County, herein after called the commission. The commission shall consist of nine members and it shall be representative of taxpayer, civic, labor, business, professional, financial and minority groups in the county of Erie. ~~Five~~ **Five** members of the commission shall be appointed by the County Executive. Two of the members of the commission shall be appointed by a majority vote of the members of the political party whose membership of the county legislature constitutes a majority of the legislature. One member of the commission shall be appointed by a majority vote of the members of the political party whose membership of the county legislature constitutes a minority vote of the legislature. **One member of the commission shall be appointed by the County Comptroller.**

Each County Executive, **Comptroller** and legislative appointment to the commission shall be for a full term of three years, except that the appointment of a person to fill a vacancy occurring by death, resignation, or cause other than the expiration of a term, shall be made for the unexpired term. Each member shall continue to serve until the appointment and qualification of his or her successor. Vacancies shall be filled and the appointments of successors shall be made in the same manner as original appointments by the appointing authority responsible for the original appointment. The term of office of all members of the commission shall be deemed as commencing on July first, nineteen hundred eighty six.

Section 22-~~BA~~-02. Duties of commission. Beginning on July first, nineteen hundred eighty six, the commission shall review the salaries of all elected officials of the county of Erie, except for the district attorney, and report its recommendations to the county executive and the county legislature by September first of that year. The committee shall provide ample opportunity for public input prior

to making its recommendations to the county executive and county legislature. Such a review of salaries set as forth above shall occur during every even year starting with nineteen hundred eighty six.

Added by Local Law No. 6 1986.

Article 22-B was formerly numbered article 23-B, which was formerly numbered Article XVI-E*.

* See also article XVI E, Erie County Commission on the Status of Women, Added by Local Law No. 3 1987, REPEALED by Local Law No. 3-2006.

Article 22-~~CB~~ - Erie County Community Coordinating Council on Children and Families – Charter

Section 22-~~CB~~ -01. Legislative declaration of policy.

22-~~CB~~ -02. Establishment, powers and duties.

22-~~CB~~ -03. Membership, meetings.

22-~~CB~~ -04. The county executive.

22-~~CB~~ -05. Staff.

~~22-~~CB~~ -06. Effective date.~~

Section 22-~~CB~~-01. Legislative declaration of policy. It is hereby declared to be the public policy of Erie County, New York, to take all proper measures to preserve and strengthen the family unit and to aid in the establishment of a nurturing environment to encourage the proper development of children.

To further this policy the Erie county government provides evaluation, treatment and preventative services to the children and families of Erie County.

The Erie county legislature finds that this policy and these services can be more effectively administered and efficiently delivered by systematic coordination among the local government, public voluntary system of social, educational, health, mental health and other supportive and rehabilitative services to children and families.

The services system can be strengthened by:

1. Fostering cooperation among local government and both public and voluntary agencies to provide better coordination supervision of services to children and families.
2. Eliminating duplication of services where possible and maximizing service provisions through judicious use of tax dollars, grants and other funding mechanisms as may become available.
3. Stressing more meaningful accountability by providers, in all sectors, regarding the quality and quantity of services provided to children and families.
4. Improving methods of ascertaining community needs and setting program goals as they relate to services for children and families.

Section 22-~~CB~~ -02. Establishment, powers and duties. There is hereby created, the Erie county community coordinating council on children and families, hereafter called council. The council shall:

1. Develop a methodology to evaluate, monitor and ascertain the effectiveness of current programs in children's services.
2. Identify problems and deficiencies in existing services and recommend corrective action.
3. Improve coordination of program and fiscal resources within the children's services system.
4. Act as a liaison between county governmental units, public voluntary programs and the state and federal government, fostering better communication between all involved.
5. Review and resolve administrative, and where appropriate, regulatory differences between agencies.

6. Develop long range plans to improve services to children and families. This should be accomplished through a five year comprehensive service plan similar to those utilized by county departments.
7. Act as a forum for community discussion of issues pertaining to services for children and families.
8. Carry out any and all activities deemed necessary to accomplish the goals of the council as stated herein.

Section 22--~~CB~~-03. Membership; meetings. The council shall consist of the following members: the Erie county commissioners of youth, social services, health and mental health, the director of the office for the disabled and the chief clerk from the Erie county family court, three consumer/client representatives, and five representatives from local charitable and/or community based organizations concerned with children and families, the director of the office of probation, one representative from a suburban school district and two representatives from the youth planning council of Buffalo and the president of the united way agency executives association, a representative of the western New York school board association and four members of the business community.

The legislature shall appoint the eight community representatives and two representatives of the business community as follows: six to be named by the majority and four to be named by the minority. Five of these members shall serve two year terms and five shall serve three year terms. These members can only be reappointed once.

The county executive shall appoint the one representative from a suburban school district and the two representatives from the youth planning council of Buffalo and the president of the united way agency executives association, a representative of the western New York school board association and two representatives of the business community.

The chair shall be appointed by the county executive and confirmed by the legislature, and shall not be one of the twenty four members previously stated.

The council shall have the authority to appoint ad hoc council members to advise them, as they may deem necessary.

The council shall have at least four meetings each year with at least one meeting to be in each quarter of the year. The council shall adopt rules and procedures for its meetings; shall keep accurate records of its meetings and activities, and shall file an annual report with the county legislature and the county executive.

The council shall convene for its first meeting in the quarter of the year in which they are appointed. The council shall present its first report to the legislature before adoption of the annual budget in the year they are appointed, and every year thereafter on June first.

The annual report shall include the methodology for acquiring accurate statistics, which the council will use to evaluate and plan for services. Also, they should report any short term budget recommendations for the nineteen hundred ninety three budget.

The council shall then make yearly budget recommendations and five year service plans.

Section 22--~~CB~~-04. The county executive. The county executive shall require any county department, division, board, council, committee, authority or agency, or other unit or any agency or organization receiving county funding, to provide such facilities, assistance and data as will enable the commission to properly effectuate its powers and duties under this article.

Section 22--~~CB~~-05. Staff. The council shall be provided with a coordinator, under the auspices of the county executive to serve the council in capacities which include managing the correspondence of the council; providing a schedule of meeting dates; distributing a calendar of information on

programs and events members may be interested in attending. The coordinator shall also serve as research assistant, and coordinate and implement the use of the monitoring mechanism, so that the council shall have service and program data to use in its planning efforts. The council and its coordinator shall also have access to secretarial staff as needed to complete its tasks.

~~Section 22-CB-06. Effective date. This law shall take effect immediately.~~

Amended by Local Law No. 3 1992.

Amended by Local Law No. 7 1990.

Added by Local Law No. 4 1988.

Article 22-C was formerly numbered article 23-C, which was formerly numbered Article XVI-F.

Section 34.

Article 25 Section 2503 of the Erie County Charter is hereby amended as follows:

Section 2503. Tentative budget and capital program by county executive. On or before the 15th day of October of each year the county executive shall submit to the county legislature a tentative budget for the ensuing fiscal year, a financial forecast for the ~~two (2)~~ **three (3)** subsequent years, a capital program for the next six (6) fiscal years, and an accompanying message.

Section 35.

Article 25 Section 2505 of the Erie County Charter is hereby amended as follows:

Section 2505. Fund balance

- c. If the proposed county budget appropriates unassigned fund balance in the General Fund reducing the unassigned General Fund fund balance below five percent as described in subsection (b), the county executive shall present a separate resolution to the county Legislature parallel with the proposed county budget requesting approval of the appropriation. The county may only approve unassigned General Fund fund balance below the five percent level upon **a two-thirds supermajority** vote of the county legislature. A budget that is approved without a vote of the county legislature shall not appropriate any fund balance revenue in the General Fund in excess of the amount provided in this subsection. The county executive's tentative budget shall indicate equivalent deletions in the tentative budget that shall be executed if the use of fund balance permitted by this paragraph is not approved by the county legislature.

Section 36.

Article 25 Section 2506 of the Erie County Charter is hereby amended as follows:

Section 2506. Revenue and certain expense projections reviewed

On or before the 1st day of October the county executive shall submit to the comptroller all revenue estimates and expenditure estimates for Medicaid, public assistance, and pension contributions and health care insurance costs for county employees to be used in the proposed budget. **If not otherwise available, property tax revenue estimates shall include a maximum and minimum levy amount, which shall be used in preparing the budget.** The comptroller shall review all revenue estimates and expenditure estimates for Medicaid, public assistance and pension contributions and health care insurance costs for county employees to be used in the proposed tentative budget prepared by the county executive and submit to the legislature in writing by the 15th of October a report indicating whether or not such estimates are suitable estimates for the upcoming fiscal year. Should the comptroller determine that any such revenue or expenditure estimate is not suitable for the upcoming fiscal year, the Legislature, upon notice from the comptroller may revise any such revenue estimate downward upon a two-thirds majority vote and may revise any such

expenditure estimate upward by a majority vote. The legislature shall not revise any such revenue estimate upward.

Section 37.

Article 25 Section 2507 of the Erie County Charter is hereby amended as follows:

Section 2507. Budget controls.

- b. The county executive shall maintain control at all times over the expenditures of every department or other administrative unit, officer, employee and financial activity of the county, except for the departments overseen by the independently elected officials (clerk, comptroller, district attorney and sheriff) who shall have the power to manage their departments within the parameters of the adopted budget. For such purpose, the county executive may, among other things, prescribe quotas and allotments, and no department or other administrative unit, officer, employee or financial activity of the county, except for the independently elected officials (clerk, comptroller, district attorney and sheriff), shall encumber its appropriation in an amount in excess of that allowed by any quota or allotment so prescribed. **Actions taken by independently elected officials (County Clerk, Comptroller, District Attorney and Sheriff) within the parameters of the adopted budget shall be approved by the County Executive and any other necessary department or office within seven days.** The county executive may request that the legislature impose quotas, allotments or other cost control measures on the independently elected officials (clerk, comptroller, district attorney and sheriff) if the need arises. The legislature shall by resolution impose quotas, allotments or other cost control measures with a simple majority vote.
- c. **For any personnel position that has been budgeted, but that has remained unfilled for a time period of one year and one day, the position is eliminated and the appropriated budget funds shall be returned to the general fund of the County, provided that the County Legislature may, by resolution, extend this time period for an additional year upon the request of the appointing authority for the unfilled position. Further, additional one-year extensions can be granted any time prior to the elimination of the position. Time attributable to military service, family or medical leave, or disability, shall be excluded from the computation of the one year and one day time period. The County Legislature shall be timely informed of any such position and funds.**

Section 38.

Article 25 Section 2508 of the Erie County Charter is hereby amended as follows:

Section 2508. Adoption of budget.

- b. If the budget is passed by the county legislature with no additions or increases, such budget shall be deemed to have been adopted without any further action by the county executive; if, however, the budget as passed by the county legislature contains any such additions or increases, the same shall be presented by the clerk of the legislature to the county executive not later than the **second business day after the sixth of** ~~Wednesday following the first Tuesday in~~ December, for his or her consideration of such additions or increases. If the county executive approves all additions and increases, he or she shall affix his or her signature to a statement thereof and return the budget and such statement to the clerk of the legislature. The budget, including the additions and increases as part thereof, shall then be deemed adopted.
- c. The county executive may object to any one or more of such added or increased items, and in such case shall append to the budget a statement of the added or increased items to which he

or she objects with the reasons for his or her objections, and shall return the budget with his or her objections to the clerk of the county legislature who shall present the same to the county Legislature on or before the seventh business day after the sixth of Monday preceding the second Tuesday in December. 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.

- d. If a budget with additions or increases is not returned by the county executive to the clerk of the legislature with his or her objections on or before the seventh business day after the sixth of Monday preceding the second Tuesday in December, it shall be deemed adopted.
- e. If a budget has not been adopted, as herein provided, on or before the tenth business day after the sixth second Tuesday of December in each year, then the tentative budget as submitted by the county executive, plus all additions and increases to which he or she has failed to object, shall be the budget for the ensuing fiscal year.

Section 39.

Article 26 of the Erie County Charter be amended by adding a new Section 2602A as follows:

Section 2602A. Amendments to contracts. No contract to which the County of Erie is a party, regardless of prior authorization granted to the County Executive or any other individual acting on behalf of the County, shall be amended to extend the stated term of the contract, including any explicit options to extend, in excess of three months beyond the terms stated in the original contract, without the approval of the Legislature.

Section 40.

Article 26 Section 2608 of the Erie County Charter is hereby amended as follows:

Section 2608. Charter revision commission.

The Erie County Charter shall undergo a mandatory decennial review and the review shall commence by seating a Charter Review Commission by ~~January~~ **October** 15, 2024~~16~~, which shall report its recommendations to the Erie County Legislature no later than May 15, 2025~~16~~. **The Charter Revision Commission shall conduct at least one (1) public hearing prior to December 31, 2024. The Charter Revision Commission shall only be required to consider those proposals submitted to the Commission on or before April 15, 2025.**

Section 41.

Effective Date: This Local Law shall become effective sixty (60) days from the filing with the Secretary of State.

Section 42.

STEPS FOLLOWING EFFECTIVE DATE.

1. Notwithstanding any provisions contained in the Local Law to the contrary, the County Attorney shall insert gender neutral language in the Erie County Charter as follows:
 - a. All references of “he” without a corresponding reference to “she” shall be stricken and replaced by “he or she”.
 - b. All references to “him” without a corresponding reference to “her” shall be stricken and replaced by “him or her”.

- c. All proper nouns including but not limited to Erie County, County of Erie, City of Buffalo, County Legislature, County Executive; all departments, councils, boards, advisory committees and commissions; all designation and/or titles of officials mentioned in the Erie Charter; all cites to State Law shall be capitalized.
2. The County Attorney shall renumber the articles, sections and subsections of the Charter, as needed, to ensure that such articles, sections and subsections are uniformly formatted and numbered and that all sections changed by this document or any other valid document are effectuated across the Charter.
3. a. The County Attorney shall prepare a supplement to the Erie County Charter which contains all additions to, and repeals and amendments of, the Charter that are set forth in the Local Law.
b. Such supplement, which shall include the gender neutral language provided by Subsection 1 above and which shall include the renumbering of articles provided by Subsection 2 above, shall be placed upon the desks of the members of the Legislature no later than sixty (60) days after the effective date of this Local Law.
c. Such supplement shall be posted on the Erie County website and transmitted to the Clerk of the Legislature.

Section 43.

SEVERABILITY. If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof, to any person, individual, corporation, firm, partnership, entity or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional such order of judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Sponsor: Joseph C. Lorigo

MR. LORIGO moved to approve Local Law No. 16 (Print #1) 2016. MS. GRANT seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. NOES: NONE. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

Item 20 – CHAIR MILLS directed that Local Law No. 17 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 21 – CHAIR MILLS directed that Local Law No. 18 (Print #1) 2016 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 22 – CHAIR MILLS directed that Local Law No. 19 (Print #1) 2016 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 23 – CHAIR MILLS directed that Local Law No. 20 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMITTEE REPORTS

None.

LEGISLATOR RESOLUTIONS

Item 24 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 3

RE: EC Agricultural District Modification
and Consolidation: No. 6 - Sardinia, No.
11 - Holland and No. 15 - Concord
(INTRO. 1-1)

A RESOLUTION TO BE SUBMITTED BY CHAIR MILLS & LEGISLATOR MORTON

WHEREAS, Agricultural District No. 6 – Sardinia (“Sardinia”) was initially created on December 19, 1974 pursuant to New York State Agriculture and Markets Law (“Agriculture and Markets Law”) Section 303; and

WHEREAS, Agricultural District No. 11 – Holland (“Holland”) was initially created on August 9, 1977 pursuant to Agriculture and Markets Law Section 303; and

WHEREAS, Agricultural District No. 15 – Concord (“Concord”) was initially created on December 21, 1981 pursuant to Agriculture and Markets Law Section 303; and

WHEREAS, Sardinia, Holland, and Concord (“the districts”) have been recertified or extended every eight years thereafter pursuant to Agriculture and Markets Law Section 303-a(1); and

WHEREAS, on October 24, 2016 the Erie County Legislature (the “Legislature”) received notification from the New York State Department of Agriculture and Markets that the next eight-year anniversary date of the districts is August 9, 2017; and

WHEREAS, pursuant to Agriculture and Markets Law Section 303-a(2) the notification directs the Legislature to request that the Erie County Agricultural and Farmland Protection Board prepare a report on the districts; and

WHEREAS, pursuant to Agriculture and Markets Law Section 303-a(2) the notification directs the Legislature to hold a public hearing on the district review at least 120 days and not more than 180 days prior to the district review anniversary;

NOW, THEREFORE, BE IT

RESOLVED, that the Clerk of the Legislature publish in a newspaper having general circulation a public notice to notify municipalities and land owners within the districts that they may propose a modification of the district by filing a proposal with the Clerk of the Erie County Legislature within thirty days after the publication of such notice and that notice also be sent to the affected municipalities and that the notice be posted in five places within the district; and be in further

RESOLVED, that the Legislature requests that the Erie County Agricultural and Farmland Protection Board prepare a report on the districts; and be it further

RESOLVED, that the Legislature hold a public hearing on the district review at least 120 days and not more than 180 days prior to the district review anniversary; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Commissioner of Environment and Planning, the Sardinia Town Supervisor, the Holland Town Supervisor, the Colden Town Supervisor, the Wales Town Supervisor, the Concord Town Supervisor, the Boston Town Supervisor, the Collins Town Supervisor, and the North Collins Town Supervisor.

Item 25 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 4

RE: Standard Work Day for Elected Officials
for Retirement Reporting Purposes
(INTRO. 1-2)

A RESOLUTION TO BE
SUBMITTED BY CHAIR MILLS

WHEREAS, the New York State and Local Employees’ Retirement System requires that a standard work day be established for retirement credit purposes; and

WHEREAS, in order to be in full compliance with Regulation 315.4, legislative action is warranted.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby establishes the following as standard work days for appointed officials and will report the following Standard Work Day to the New York State and Local Employees' Retirement System based on the Erie County Personnel Department's time-keeping system that shows hours worked:

<u>Title of Elected Officials</u>	<u>Name</u>	<u>Standard Work Day</u>	<u>Term Begins/Ends</u>	<u>Participates in Employer's Time Keeping System</u>	<u>Days/Months Based on Record of Activities</u>
County Legislator	Kevin R. Hardwick	6	01/01/16-12/31/17	N	23.25
County Legislator	John J. Mills	6	01/01/16-12/31/17	N	27.88
County Legislator	Ted B. Morton	6	01/01/16-12/31/17	N	29.66
County Legislator	Edward A. Rath III	6	01/01/16-12/31/17	N	23.08

; and, be it further

RESOLVED, that a certified copy of this resolution be posted on the Legislature's website pursuant to rules promulgated by the New York State Comptroller, and a copy shall be transmitted by the Clerk of the Legislature to the Erie County Commissioner of Personnel and the State Comptroller.

Item 26 – CHAIR MILLS directed that the following item be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

INTRO. 1-3 from LEGISLATOR BURKE. Opposition to the Proposed National Fuel Increase.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

None.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 27 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. GRANT seconded.

RE: Appointment to the EC Board of Ethics
(COMM. 1E-1)

MS. GRANT moved to send the item to committee. MR. BURKE seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS and MR. SAVAGE. NOES: MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. (AYES: 5; NOES: 6)

FAILED.

CHAIR MILLS moved the previous question, and directed that a roll call vote be taken.

AYES: MS. GRANT, MS. MILLER-WILLIAMS and MR. SAVAGE. NOES: MR. BURKE, MR. LOUGHRAN, MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. (AYES: 3; NOES: 8)

FAILED.

FROM THE DISTRICT ATTORNEY

Item 28 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. LOUGHRAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 5

RE: Personnel Adjustments
(COMM. 1E-2)

WHEREAS, the new District Attorney has retained new staff for certain key positions in his administration and desires to make personnel adjustments for his administration, with said adjustments being budget-neutral in the 2017 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the position of Deputy District Attorney-Solicitor (position 2349) is hereby authorized to be filled at a variable minimum step 5 (annual salary \$110,741); and be it further

RESOLVED, that the position of Executive Assistant-Second Deputy District Attorney (position 3420) is hereby authorized to be filled at a variable minimum step 5 (annual salary \$110,741); and be it further

RESOLVED, that one new position of Confidential Criminal Investigator-Task Force is hereby authorized to be created (annual salary \$47,857/\$50,910) (B-100 #9014); and be it further

RESOLVED, that all changes herein are retroactive to January 1, 2017, and be it further

RESOLVED, that the position of First Deputy District Attorney (position 3467) is hereby authorized to be filled at a variable minimum step 5 (annual salary \$131,317) effective March 1, 2017; and be it further

RESOLVED, that the Director of Budget and Management and Commissioner of Personnel are hereby authorized to make the necessary budgetary and personnel adjustments to effectuate these changes, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Budget Director, District Attorney and Commissioner of Personnel.

FROM THE COUNTY EXECUTIVE

Item 29 – (COMM. 1E-3) EC Sewer District Nos. 1 & 4 - Engineer Term Contract Agreement - Work Order DA-8

Received and filed.

Item 30 – (COMM. 1E-4) ECC - 2016 - Collegewide Hazardous Materials Abatement Testing, Sampling & Monitoring

Item 31 – (COMM. 1E-5) EC Correctional Facility - 2015 - Mental Health Renovations

Item 32 – (COMM. 1E-6) Emergency As Directed Bridge Services & Bridge Maintenance Design Program, Various Location

Item 33 – (COMM. 1E-7) Brooklyn St Bridge, Village of Akron, Town of Newstead - Project No. BR-PK1-15 - Project Budget Increase & Closeout

Item 34 – (COMM. 1E-8) Right-of-Way Acquisition - 2017 Culvert Group 2 Construction - Project No. BR-MISC18-2017, Various Towns

The above five items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 35 – (COMM. 1E-9) EC Sewer District No. 4 - Increase & Improvement of Facilities (2016)

Item 36 – (COMM. 1E-10) EC Sewer District No. 6 - Increase & Improvement of Facilities (2016)

Item 37 – (COMM. 1E-11) Appointments to the EC Sewer District Board of Managers

The above three items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COMPTROLLER

Item 38 – (COMM. 1E-12) Report for Apportionment and Distribution of Net Collections from the 4.75% Sales and Compensating Use Tax for Sept., Oct. and Nov. 2016

Item 39 – (COMM. 1E-13) Risk Retention Report for Nov. 2016

The above two items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 40 – (COMM. 1E-14) Department of Mental Health - Maintain a Grant Position with NYS Office of Mental Health Funding

Item 41 – (COMM. 1E-15) Appointments to the Commission on the Status of Women

Item 42 – (COMM. 1E-16) Appointments & Reappointments to the Senior Services Advisory Board

The above three items were received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 43 – (COMM. 1E-17) Department of Central Police Services - Position Adjustment

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE SHERIFF

Item 44 – (COMM. 1E-18) Accept NYS DHSES Bomb Squad Grant

Item 45 – (COMM. 1E-19) Open Item - Funding for Departmental Purchases from Jail Phone Revenue

Item 46 – (COMM. 1E-20) Open Item - Funding for Departmental Purchases from Seized Assets Proceeds

The above three items were received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE CLERK OF THE LEGISLATURE

Item 47 – (COMM. 1D-1) Certificate of Appointment of Member of the ECIDA

Received, filed and printed.

CERTIFICATE
OF
APPOINTMENT
AS MEMBER OF
ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
FOR FILING
WITH
SECRETARY OF STATE
UNDER
GENERAL MUNICIPAL LAW SECTION 856(2)

THIS is to certify that REV. MARK E. BLUE has been appointed as a member of ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY ("ECIDA"), which has been duly established by Chapter 293 of the Laws of 1970. Rev. Mark E. Blue will fill the vacancy created by Frank B. Mesiah.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the County Legislature of the County of Erie this 21st day of December, 2016.

THE COUNTY LEGISLATURE OF
THE COUNTY OF ERIE
By: KAREN M. McCARTHY
Karen M. McCarthy
Clerk of the Legislature

SEAL

Item 48 – (COMM. 1D-2) Reduction of Agenda Items During 2017

Received, filed and printed.

TO: Members of the Erie County Legislature
FROM: Karen M. McCarthy, Clerk
DATE: December 19, 2016
SUBJECT: Reduction of Agenda Items During 2017

In accordance with the 2016 Rules of the Legislature §5.04 as amended the attached items will be removed from the Erie County Legislature's agenda as of the date indicated.

Thank you.

cc: Jonathan Rivera

ERIE COUNTY LEGISLATURE

In accordance with Section 5.04 of the Legislature's 2016 Rules of Order, As Amended

Agenda Items to be Removed During 2017

ITEM NUMBER	REMOVAL DATE	FROM	SUBJECT
<u>COMMUNITY ENRICHMENT COMMITTEE</u>			
Comm. 11E-6	Jun 9	County Executive	OPEN ITEM: ECC - STEM Building
Comm. 18E-21	Sept 22	County Executive	ECC Exterior Restoration - 2016 City Campus Old Post Office Masonry Repairs
Intro. 21-7	Nov 1	Miller-Williams	Dialogue Concerning ECC's Relationship with Middle Early College
Comm. 21E-4	Nov 1	Miller-Williams	Letter to ECC President Regarding ECC's Relationship with Middle Early College
Comm. 21M-4	Nov 1	President, Erie Community College	Letter to Legislator Miller-Williams Regarding ECC's Relationship with Middle Early College
<u>ECONOMIC DEVELOPMENT COMMITTEE</u>			
Comm. 1E-4	Jan 7	County Executive	EC Highway Facility Clarence - 2016 - New Maintenance Building
Intro. 7-4	Apr 14	Loughran	Calling on the County Executive to Address the Upgrade of North Forest Road in Amherst NY
Intro. 11-4	Jun 9	Rath & Morton	Supporting a Simplification of New York's Tax Code
Comm. 14E-7	Jul 28	Mills	Letter to County Executive Regarding a Letter of Interest in Serving on the ECIDA Board of Directors
Comm. 19E-7	Oct 6	Rath	Letter to County Executive Regarding Maintenance of Conner Road
Comm. 21E-25	Nov 3	Lorigo	Letter to County Executive Regarding Meeting to Discuss Road Safety Concerns Maple Rd, Elma and East Aurora
LL Intro. 19-1	Nov 10	Grant, Savage, Loughran, Burke & Miller-Williams	A LL in Relation to Fair Housing in Erie County
<u>ENERGY & ENVIRONMENT</u>			
Comm. 13M-10	Jul 14	Town of Lancaster	Town Resolution Regarding Support for Como Lake to Remain a Lake
LL Intro. 14-1	Aug 29	Burke	Pharmaceutical Water Pollution Act
Intro. 17-4	Sep 1	Burke, Miller-Williams & Grant	Opposing a Nuclear Waste Dump on the Shores of Lake Huron
Comm. 19E-11	Oct 6	County Executive	Community Solar Project - MOU Regarding Preliminary Community Solar Evaluation
Comm. 21M-5	Nov 3	Agricultural and Farmland Protection Board	2016 Report Regarding Recommendations in Inclusion Into Existing Agricultural Districts
<u>FINANCE & MANAGEMENT</u>			
Intro. 2-3	Jan 21	Burke	Calling on the Erie County Stability Authority to Reduce in Size
Comm. 4M-6	Feb 18	Associated Builders and Contractors Inc.	Letter Regarding Project Labor Agreements

LL Intro. 3-1	Feb 29	Burke	A LL Entitled, "SPRAWL PREVENTION ACT" Otherwise Known as "MUNICIPAL AND REGIONAL INTERESTS ACT" for the Creation of an Erie County Planning Board
Comm. 7E-19	Apr 14	Lorigo	OPEN ITEM - Risk Retention Fund Reporting
Comm. 19D-8	Oct 6	County Attorney	2012 Report on the Use of Outside Counsel
Comm. 21E-13	Nov 3	Mills, Lorigo, Rath & Morton	Letter to County Executive Regarding Opposition to Resolution Requesting Loans from Erie County
Intro. 22-2	Nov 17	Lorigo	Addressing Issues with the NYS Tax Cap Legislation
Comm. 23E-15	Dec 1	County Executive	Real Property Tax Services - Delegating Authority for Certain Real Property Tax Refunds and Correction of Tax Bills and Tax Rolls Under \$2500.00 for the Year 2017
Comm. 23E-17	Dec 1	Comptroller	Risk Retention Report for Oct. 2016
Comm. 23D-10	Dec 1	County Attorney	Report Regarding Review of Use of Outside Counsel by the County Attorney
Comm. 25E-19	Dec 15	Comptroller	Performance Audit of The Congregate Dining Grant, Department of Senior Services, for Year Ended Dec. 31, 2015
Comm. 25D-6	Dec 15	Department of Budget & Management	Budget Monitoring Report for Period Ending Oct. 2016
Comm. 25M-3	Dec 15	Lumsden & McCormick LLP	ECFSA Analysis of Staff Roles, Responsibilities, Staffing Levels & Operations
<u>GOVERNMENT AFFAIRS</u>			
LL Intro. 5-1	Mar 8	Lorigo	A LL Increasing Governmental Transparency
LL Intro. 6-1	Mar 8	Lorigo	A LL Requiring Publication of Ethical and Financial Disclosure Information
LL Intro. 7-1	Mar 14	Loughran	A LL Repealing the Erie County Code of Ethics Established by Local Law Number Ten of Nineteen Hundred Eighty-Nine as Amended by Erie County Local Law Number Four of Nineteen Hundred Ninety-Four and Erie County Local Law Number Four of Two Thousand and Fifteen, and Establishing a New Erie County Code of Ethics
Intro. 6-6	Mar 17	Burke, Miller-Williams, Grant, Savage & Loughran	Supporting New York State Legislation to Provide Benefits for Paid Family Leave
LL Intro. 8-1	Apr 11	Miller-Williams & Grant	A LL in the Relation to Prohibiting the Asking of Questions Regarding or Pertaining to an Applicant's Prior Criminal Convictions on Preliminary Employment Applications in Erie County
Intro. 8-4	Apr 28	Loughran	Support for Eliminating the Limited Liability Company Loophole for Campaign Contributions
Intro. 9-1	May 9	Savage	Moving City of Buffalo School Board Elections to November
LL Intro. 10-1	Jul 11	Loughran & Hardwick	Requiring a Minority Business Utilization and Women-Owned Business Utilization Commitment by Persons or Firms Contracting with the County of Erie Law

LL Intro. 16-1	Sep 29	Lorigo	A LOCAL LAW amending Local Law No. 1-1959, constituting the Erie County Charter, as amended, in relation to recommendations made by the Erie County Charter Revision Commission, duly organized pursuant to Local Law No. 5-2015
LL Intro. 17-1	Sep 29	Lorigo & Loughran	A LL Repealing the Erie County Code of Ethics Established by Local Law Number Ten of Nineteen Hundred Eighty-Nine as Amended by Erie County Local Law Number Four of Nineteen Hundred Ninety-Four and Erie County Local Law Number Four of Two Thousand and Fifteen, and Establishing a New Erie County Code of Ethics
Comm. 21D-6	Nov 3	Commissioner, Department of Personnel	Explanation of the Need for Pre-Employment Fingerprinting
LL Intro. 20-1	Nov 21	Burke	Erie County Conversion Therapy Ban
Intro. 23-3	Dec 1	Morton	Opposition to Implementation of Sanctuary Policies in Erie County
Intro. 25-2	Dec 15	Mills, Lorigo & Hardwick	Support for "I Love NY" Signs
Comm. 25M-4	Dec 15	Limousine Bus Taxi Operators of Upstate NY	Letter Regarding Opposition to State Ride-Sharing Legislation
<u>HEALTH & HUMAN SERVICES</u>			
Intro. 4-3	Feb 18	Miller-Williams	Supporting NYS Legislation to Increase Funding for Child Care Subsidies
Comm. 5E-24	Mar 3	Dixon	OPEN ITEM: EC Opioid Epidemic Task Force Update
LL Intro. 4-2	Mar 14	Savage, Loughran & Burke	A LL in the Relation to Prohibiting the Sale of Tobacco Products and Electronic-Cigarettes in Licensed Health Care Institutions, Pharmacies and Retail Establishments Containing Pharmacies in Erie County
Intro. 23-2	Dec 1	Burke & Grant	Water Quality Concerns Following the Fire at the Former Bethlehem Steel Plant
Comm. 23E-20	Dec 1	Burke	Letter to Health Department Commissioner Regarding the Potential Health Effects of the Fire at the Former Bethlehem Steel Factory
<u>MINORITY & WOMEN BUSINESS ENTERPRISE</u>			
Comm. 19M-6	Oct 6	MWBE Utilization Advisory Board	May 23, 2016 Meeting Minutes
Comm. 23M-5	Dec 1	MWBE Utilization Advisory Board	Sept. 26, 2016 Meeting Minutes
<u>PUBLIC SAFETY</u>			
Intro. 20-4	Oct 20	Burke	NYS Commission of Correction's Report Regarding EC Holding Center
LL Intro. 18-1	Nov 10	Burke	Erie County School Bus Safety Law

Received and filed.

FROM THE COMMISSIONER, DEPARTMENT OF SENIOR SERVICES

Item 50 – (COMM. 1D-4) Letter to Comptroller Regarding Performance Audit of The Congregate Dining Grant

Received and filed.

FROM THE DEPARTMENT OF LAW

Item 51 – (COMM. 1D-5) Transmittal of New Claims Against Erie County

Item 52 – (COMM. 1D-6) Transmittal of New Claims Against Erie County

The above two items were received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE BOARD OF HEALTH

Item 53 – (COMM. 1M-1) Jan. 17, 2017 Meeting Agenda

Received and filed.

FROM THE TOWN OF EDEN

Item 54 – (COMM. 1M-2) Town Resolution Regarding Support for NY & Lake Erie Railroad's Grant Application Through the Passenger & Freight Assistance Program

Received and filed.

FROM THE BUFFALO NIAGARA FILM COMMISSION

Item 55 – (COMM. 1M-3) 2016 3rd Quarter Report

Received and filed.

FROM THE INVEST BUFFALO NIAGARA

Item 56 – (COMM. 1M-4) Lead Generation Campaign - Jun. 2015 - Oct. 2016 Report

Received and referred to the ECONOMIC DEVELOPMENT.

ANNOUNCEMENTS

Item 57 – CHAIR MILLS announced the committee schedule for January 12, 2017 will be distributed.

Item 58 – CHAIR MILLS announced the next regularly scheduled legislative session is January 26, 2017.

MEMORIAL RESOLUTIONS

Item 59 – Legislator Burke requested that when the Legislature adjourns, it do so in memory of Ronald A. Hodge and James P. Keane.

Item 60 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Robert Z. “Zippy” Kochan, Laura J. Steele and Donald J. Tellaak.

Item 61 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Shirley M. Allard and Lavern F. “Lee” Fassl.

Item 62 – Legislator Loughran requested that when the Legislature adjourns, it do so in memory of Anthony Tarquini.

Item 63 – Legislator Morton requested that when the Legislature adjourns, it do so in memory of Kyle Cox, Carol Ann Giza, Richard L. “Skip, Opi” Jablonski and Dr. Michael J. Pelechaty Jr.

Item 64 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Donald A. York.

Item 65 – Legislator Savage requested that when the Legislature adjourns, it do so in memory of Roger F. Frieday, Richard E. Hummert Jr, James P. Keane and Philip J. Marino Jr.

ADJOURNMENT

Item 66 - At this time, there being no further business to transact, CHAIR MILLS announced that the Chair would entertain a Motion to Adjourn.

MR. LORIGO moved that the Legislature adjourn until Thursday, January 26, 2017 at 2:00 p.m. Eastern Standard Time. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, January 26, 2017 at 2:00 p.m. Eastern Standard Time.

**KAREN M. McCARTHY
CLERK OF THE LEGISLATURE**