

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

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The Legislature was called to order by Chairman Holt.

All Members Present except Legislator DeBenedetti.

A Moment of Silence was held.

A Pledge of Allegiance was led by Mr. Kuwik.

Item 1 – Chairman Holt directed that the Rules of the Legislature for 2005 Remain on the table.

Item 2 – No tabled items.

Item 3 – No items for reconsideration from previous meetings.

Item 4 – Minutes of Previous Meeting were tabled.

Item 5 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 6 – MR. WROBLEWSKI presented a resolution Honoring Mathew Snyder Upon Receiving Eagle Scout Status. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to amend the resolution to include Et Al Sponsorship. MR. SMITH SECONDED.

CARRIED UNANIMOUSLY.

Item 7 – SMITH & HOLT presented a resolution In Memory of Dana J. Malay. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to amend the resolution to include Et Al Sponsorship. MR. SMITH seconded.

CARRIED UNANIMOUSLY.

Item 8 – SMITH & HOLT presented a resolution Honoring Lady Michelle D. Ferrell, Internationally Known Recording Artist, Who Will Be Releasing Her CD "Lady Michelle's Love Song" In Buffalo. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to amend the resolution to include Et Al Sponsorship. MR. SMITH seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 9 – CHAIRMAN HOLT directed that Local Law No. 10 (Print #1) 2004 remain on the table and in the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

Item 10 – CHAIRMAN HOLT directed that Local Law No. 12 (Print #1) 2004 remain on the table.

GRANTED.

Item 11 – CHAIRMAN HOLT directed that Local Law No. 14 (Print #1) 2004 remain on the table.

GRANTED.

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

GRANTED.

Item 13 – CHAIRMAN HOLT directed that Local Law No. 16 (Print #2) 2004 remain on the table.

GRANTED.

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

Item 14 – CHAIRMAN HOLT directed that Local Law No. 17 (Print #1) 2004 remain on the table.

GRANTED.

Item 15 – CHAIRMAN HOLT directed that Local Law No. 18 (Print #2) 2004 remain on the table.

GRANTED.

Item 16 – CHAIRMAN HOLT directed that Local Law No. 2 (Print #1) 2005 remain on the table.

GRANTED.

COMMITTEE REPORTS

None

LEGISLATOR RESOLUTIONS

None

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None

SUSPENSION OF THE RULES

None

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 17 – (Comm. 6E-1) Bond Resolution - \$4,850,000 - Improvements of the Facilities of ECSD No. 4

Item 18 – (Comm. 6E-2) Bond Resolution - \$9,000,000 - Improvements of the Facilities of Erie County-Southtowns Sewer Treatment Agency

Item 19 – (Comm. 6E-3) Expectance to Close on \$80,000,000 RAN on 2/21/05

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

Item 20 – (Comm. 6E-4) Letter to Legislature Re: Recommendations On How To Proceed With Budget Shortfall

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

FROM CHAIRMAN HOLT

Item 21 – (Comm. 6E-5) Calling Special Meeting on 2/9/05

Received and filed.

FROM THE COUNTY EXECUTIVE

Item 22 – (Comm. 6E-6) Number of County Cell Phones

Item 23 – (Comm. 6E-7) Number of 24-Hour Vehicles

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

Item 24 – (Comm. 6E-8) MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 38

RE: Appointment to the Buffalo & Erie
 County Public Library Board of
 Trustees (Comm. 6E-8)

RESOLVED, the Erie County Legislature does hereby approve the appointment of Hormoz Mansouri, Ph.D., PE of 43 Rolling Meadow, East Amherst, New York 14051 to the Buffalo & Erie County Board of Trustees for a term that expires on December 31, 2005.

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

CARRIED UNANIMOUSLY.

FROM THE COMPTROLLER

Item 25 – (Comm. 6E-9) Comptroller's Office Staffing Requirements for 2005

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM CHAIRMAN HOLT

Item 26 – (Comm. 6E-10) Cancellation of 2/9/05 Special Meeting

Received and filed.

Item 27 – (Comm. 6E-11) Change in Time & Change in Date for Two 2005
Legislature Meetings

RECEIVED, FILED, & PRINTED.

February 10, 2005

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

Dear Mr. Kelley:

Please be advised that I would like to change the starting time of session of the Erie County Legislature scheduled for February 17, 2005 from 2:00 PM to 11:30 AM.

Please be advised that I would like to change the session of the Erie County Legislature scheduled for March 10, 2005 at 2:00 PM to March 14, 2005 at 2:00 PM.

Pursuant to Section 2.01 of the Rules of Order for the Erie County Legislature, the Chairperson is authorized to establish the schedule for regular sessions of the Legislature.

Thank you for your prompt attention to this matter.

Sincerely,

George A. Holt, Jr.
Chairperson, Erie County Legislature

Cc: Hon. Lynn Marinelli
Majority Leader, Erie County Legislature

Hon. Michael Ranzenhofer
Minority Leader, Erie County Legislature

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

Item 28 – (Comm. 6E-12) 2005 Schedule of Legislative Sessions (Revised)

RECEIVED, FILED, & PRINTED.

Revised 2/10/05

To: Kevin M. Kelley, Clerk
 From: Hon. George A. Holt, Chairman
 Subject: ***2005 SCHEDULE OF LEGISLATIVE SESSIONS***

JANUARY

6
20

JULY

7
14

FEBRUARY

3
17

AUGUST

Recess

MARCH

3
14

SEPTEMBER

15
29

APRIL

7
21

OCTOBER

12
27

MAY

5
19

NOVEMBER

10
23

JUNE

2
16

DECEMBER

1
5 Budget
12 Override
15

FROM LEGISLATOR MARSHALL

Item 29 – (Comm. 6E-13) Request for Surplus Computers

RECEIVED, FILED, & PRINTED.

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

Mr. Kevin Kelley
Clerk
Erie County Legislature
92 Franklin St.
Buffalo, NY 14202

Dear Mr. Kelley:

I am writing to request that the County donate one of our used computers to the Town of Elma for its use on Community Update communication. You will find their letter of request, sent to my District Office, attached to this correspondence.

The Town of Elma is a suburban municipality with a population of over 11,000 and growing. As a Community Update pamphlet will help facilitate both a strong cooperative spirit and open communication between the government and the public, I feel that there are worthy and deserving of our consideration.

Should you have any questions regarding this request, please contact me in my district office. I look forward to receiving confirmation in the near future that you have been able to accommodate this application.

Very Truly Yours,

Denise E. Marshall
Erie County Legislator
5th Legislative District

Attachment

CC: Town of Elma, Supervisor Mike Nolan
Erie County DISS, Director Kenneth Beam

February 2, 2005

Legislator Denise Marshall
5580 Broadway St.
Lancaster, NY 14086

Subject: County Surplus Equipment

Denise:

I am requesting your help in securing a surplus computer for the Town of Elma. The computer will be used to redesign letterhead, business forms, cards and write-ups, photos

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

etc. for the Community Update pamphlet. Any assistance that you can extend in obtaining same will be greatly appreciated.

Thank you.

Michael P. Nolan, Supervisor
Town of Elma

MPN/jgw

FROM THE COUNTY EXECUTIVE

Item 30 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 39

RE: Adjustments and transfers to 2005
County Budget (Comm. 6E-14)

WHEREAS, the 2005 Erie County Budget was enacted by the Erie County Legislature on December 8, 2004; and

WHEREAS, the 2005 Erie County Budget, as enacted on December 8, 2004, anticipated an increase in the County sales tax by one percent (1%) to nine and quarter percent (9.25%); and

WHEREAS, that the Erie County Legislature has not enacted the one percent (1%) increase in the County sales tax leaving the 2005 Erie County Budget out of balance; and

WHEREAS, the adjustments and transfers to the 2005 Erie County Budget set forth in the attachment to this document to will help stabilize County finances in fiscal year 2005.

NOW, THEREFORE, BE IT

RESOLVED, that the Division of Budget, Management & Finance is hereby authorized to make certain adjustments and transfers in the attached schedule; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, County Comptroller, and Director of Budget, Management, & Finance.

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

RESOLVED: that authorization is hereby provided to make the following budgetary changes, to the 2005 Corrected Adopted and Amended Budget,

Department	Fund Center	Account	Account Name	2005 Corrected Adopted - Amended Budget	(Decrease) Non Civil Service Personal Services	(Decrease) Civil Service Personal Services	(Decrease) Other Adjustments	2005 Adjusted Budget
General Fund - 110								
Art/Culture/Tourism								
	1333010	516000	AMATEUR ATHLETICS & SPECIAL EVENTS (TPA)	155,000			(7,750)	147,250
		516000	BINATIONAL/TOURISM/FRIENDHIP FESTIVAL	20,000			(1,000)	19,000
		516000	BUFFALO AND ERIE COUNTY BOTANICAL GARDENS	46,030			(2,302)	43,728
		516000	BUFFALO NIAGARA MOVEMENT	50,000			(2,500)	47,500
		516000	CEPA GALLERY (COLLABORATION PROJECT)	20,000			(1,000)	19,000
		516000	COMMUNITY EVENTS & FESTIVALS	25,000			(1,250)	23,750
		516000	ERIE CO FED-SPORTSMENS CLUBS INC	5,000			(250)	4,750
		516000	GRAYCLIFF CONSERVANCY	70,000			(3,500)	66,500
		516000	SPORTS FISHERY PROGRAM (TPA)	116,500			(5,825)	110,675
Board of Elections								
	15000	500000	PERSONAL SERVICES	2,515,647	(402,888)			2,112,759
Budget, Management and Finance								
	10210	500000	PERSONAL SERVICES	1,950,292	(142,449)	(163,434)		1,644,409
Buildings and Grounds (DPW)								
	12220	500000	PERSONAL SERVICES	6,078,201		(607,820)		5,470,381
Bureau of Fleet Services								
	10710	500000	PERSONAL SERVICES	421,539		(51,846)		369,693
		506200	REPAIRS & MAINTENANCE	90,000			(250,000)	(160,000)
Bureau of Purchase								
	10610	500000	PERSONAL SERVICES	569,410		(231,737)		337,673
Central Police Services								
	16500	500000	PERSONAL SERVICES	2,873,404		(287,340)		2,586,064
Community/Neighborhood Development								
	1332010	516000	BUFFALO GREEN FUND	10,000			(500)	9,500
		516000	COOP EXTENSION SERVICE OF ERIE CO	257,000			(12,850)	244,150
		516000	ERIE COUNTY ENV. EDUCATION	20,000			(1,000)	19,000
		516000	ERIE COUNTY SOIL & WATER CONSERVATION	265,000			(13,250)	251,750
		516000	FOREVER ELMWOOD	10,000			(500)	9,500
		516000	JOHNNIE B. WILEY SPORTS PAVILLION	100,000			(5,000)	95,000
		516000	LEADERSHIP BUFFALO	10,000			(500)	9,500
Comptroller								
	11200	500000	PERSONAL SERVICES	3,392,042	(153,185)	(323,886)		2,914,971
Convention Center								
	1331030	516000	CONVENTION CENTER MGT. CORP.	1,500,000			(100,000)	1,400,000
County Clerk Auto Bureau Division								
	11320	500000	PERSONAL SERVICES	2,042,918		(204,292)		1,838,626
County Clerk Registrar Division								
	11310	500000	PERSONAL SERVICES	2,620,222	(131,435)	(248,879)		2,239,908
County Executive								
	10100	500000	PERSONAL SERVICES	1,132,435	(151,143)			981,292
County Wide Budget Accounts								
	14010	502030	FRINGE BENEFITS-EMPLOYEE HEALTH INS	63,745,963			(4,216,465)	59,529,498
		516050	CONTRACTUAL-ECMC HEALTHCARE NETWORK	25,000,000			(5,000,000)	20,000,000
County Wide Interfund Accounts								
	14020	570020	INTERFUND-ROAD	2,862,624			(400,000)	2,462,624
Cultural Resource Advisory Board								
	1333020	516000	AFRICAN-AMERICAN CULTURAL CENTER	58,025			(2,901)	55,124
		516000	ALLEYWAY THEATRE	19,716			(886)	18,730
		516000	AMERICAN LEGION BAND OF THE TONAWANDAS	6,214			(311)	5,903
		516000	AMHERST MUSEUM	4,750			(238)	4,512
		516000	ARTS IN EDUCATION INSTITUTE OF WNY, INC.	11,875			(594)	11,281
		516000	BALLET ARTISTS OF WNY (NEGLIA)	6,952			(348)	6,604
		516000	BFLO & ERIE CO HISTORICAL SOCIETY	384,750			(19,238)	365,512
		516000	BFLO PHILHARMONIC ORCH SOCIETY	674,500			(33,725)	640,775
		516000	BIG ORBIT GALLERY	13,505			(675)	12,830
		516000	BUFFALO ARTS STUDIO	15,922			(796)	15,126
		516000	BUFFALO FINE ARTS ACADEMY	516,380			(25,819)	490,561
		516000	BUFFALO INNER CITY BALLET	20,900			(1,045)	19,855
		516000	BUFFALO MEDIA RESOURCES	9,412			(471)	8,941
		516000	BUFFALO NAVAL & SERVICEMANS PARK	40,850			(2,043)	38,807
		516000	BUFFALO OLMSTED PARKS CONSERVANCY	11,720			(586)	11,134
		516000	BUFFALO OPERA UNLIMITED	864			(43)	821
		516000	BUFFALO PHILHARMONIC CHORUS	6,650			(333)	6,317
		516000	BUFFALO SOCIETY NATURAL SCIENCES	948,100			(47,405)	900,695
		516000	BURCHFIELD ART CENTER	52,869			(2,843)	50,026
		516000	CEPA GALLERY	35,252			(1,763)	33,489
		516000	CHEEKTOWAGA COMMUNITY CHORUS	864			(43)	821
		516000	COMMUNITY MUSIC SCHOOL OF BUFFALO	2,254			(113)	2,141
		516000	ECCRAB REGRANT FUND	158,750			(7,838)	148,912
		516000	EL MUSEO GALLERY	14,621			(731)	13,890

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

Department	Fund Center	Account	Account Name	2005 Corrected Adopted - Amended Budget	(Decrease) Non Civil Service Personal Services	(Decrease) Civil Service Personal Services	(Decrease) Other Adjustments	2005 Adjusted Budget
		516000	EXPLORE AND MORE	13,820			(881)	12,939
		516000	FOLKLORIC PRODUCTIONS	3,116			(156)	2,960
		516000	GARDENERS PICK OF THE CROP INC.	13,300			(665)	12,635
		516000	GRAYCLIFF CONSERVANCY	14,250			(713)	13,537
		516000	HALLWALLS INC	51,623			(2,581)	49,042
		516000	HAMBURG NATURAL HISTORY SOCIETY	11,789			(589)	11,200
		516000	IRISH CLASSICAL THEATER COMPANY	40,220			(2,011)	38,209
		516000	JUST BUFFALO LITERARY CENTER	52,867			(2,643)	50,224
		516000	KAVINOKY THEATER	13,300			(665)	12,635
		516000	LANCASTER OPERA HOUSE	17,133			(857)	16,276
		516000	LOCUST STREET NEIGHBORHOOD ART CLASSES	12,559			(628)	11,931
		516000	MARTIN HOUSE RESTORATION	38,862			(1,943)	36,919
		516000	MUSICALFARE THEATRE	20,033			(1,002)	19,031
		516000	NETO HATINAKWE ONKWEHOWEH	2,375			(119)	2,256
		516000	NEW PHOENIX THEATRE	2,375			(119)	2,256
		516000	POLISH ARTS CLUB OF BUFFALO	10,070			(504)	9,566
		516000	SHAKESPEARE IN DELAWARE PARK	45,174			(2,259)	42,915
		516000	STUDIO THEATER SCHOOL	292,600			(14,630)	277,970
		516000	THEATRE OF YOUTH	58,550			(2,928)	55,622
		516000	THEODORE ROOSEVELT ING SITE FOUNDATION	23,750			(1,188)	22,562
		516000	UJIMA COMPANY	55,506			(2,775)	52,731
		516000	WESTERN NY ARTISTS GROUP	7,546			(377)	7,169
		516000	YOUNG AUDIENCES OF WNY	19,716			(986)	18,730
		516000	ZOOLOGICAL SOCIETY OF BUFFALO	1,404,630			(70,232)	1,334,398
District Attorney								
	11400	500000	PERSONAL SERVICES	7,713,173	(1,621,049)			6,092,124
Division of Information and Support Services								
	105	500000	PERSONAL SERVICES	3,505,864	(73,416)	(343,245)		3,089,203
DPW Commissioner								
	12210	500000	PERSONAL SERVICES	1,206,283		(164,702)		1,041,581
East Side Transfer Station								
	16222	516010	ESTS CONTRACTUAL SERVICES	-			1,750,000	1,750,000
Economic Development								
	1331010	516000	BUFFALO NIAGARA ENTERPRISE	100,000			(5,000)	95,000
		516000	BUFFALO PLACE	50,000			(25,000)	25,000
		516000	ERIE CO INDUSTRIAL DEVELOPMENT AGENCY	200,000			(100,000)	100,000
		516000	HAUPTMAN-WOODWARD MED RESEARCH	50,000			(2,500)	47,500
		516000	REDD (UB)	60,000			(3,000)	57,000
		516000	REGIONALISM/ECONOMIC DEVELOPMENT FUND	1,500,000			(1,500,000)	-
Emergency Medical Services								
	12720	500000	PERSONAL SERVICES	843,261		(84,326)		758,935
Emergency Services								
	16700	500000	PERSONAL SERVICES	657,385		(65,739)		591,646
Environment & Planning								
	16200	500000	PERSONAL SERVICES	1,831,785		(407,097)		1,424,688
Extra Aid to Loc Gov								
	1335010	516000	COMMUNITY ASSISTANCE POOL	12,500,000			(12,500,000)	-
	1335010	516000	CITY OF BUFFALO EMERGENCY COMMUNICATIONS	-			1,250,000	1,250,000
Forensic Mental Health								
	12420	500000	PERSONAL SERVICES	927,686		(92,769)		834,917
Health Division								
	12700	500000	PERSONAL SERVICES	9,626,959	(185,620)	(944,134)		8,497,205
Labor Relations								
	10310	500000	PERSONAL SERVICES	40,088				40,088
		500010	PART-TIME WAGES	18,491				18,491
		500030	SEASONAL EMP WAGES	4,482				4,482
Law								
	16010	500000	PERSONAL SERVICES	2,207,310		(607,196)		1,600,114
Legislature								
	100	500000	PERSONAL SERVICES	2,803,957	(428,800)			2,375,157
Medical Examiner's Division								
	12740	500000	PERSONAL SERVICES	1,162,113		(116,211)		1,045,902

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

Department	Fund Center	Account	Account Name	2005 Corrected Adopted - Amended Budget	(Decrease) Non Civil Service Personal Services	(Decrease) Civil Service Personal Services	(Decrease) Other Adjustments	2005 Adjusted Budget
Mental Health Program Administration								
	12410	500000	PERSONAL SERVICES	1,247,579		(124,758)		1,122,821
Parks								
	16410	500000	PERSONAL SERVICES	3,299,593		(96,332)		3,203,261
Personnel Department								
	16110	500000	PERSONAL SERVICES	1,578,228		(214,166)		1,364,062
Persons/Special Needs								
	12750	500000	PERSONAL SERVICES	1,832,599		(183,260)		1,649,339
	12750	528000	CHILDREN WITH SPECIAL NEEDS PROGRAM	51,200,677			(500,000)	50,700,677
Probation								
	12610	500000	PERSONAL SERVICES	6,384,715		(704,166)		5,680,549
Public Benefit Monitored by Legislature								
	1341010	516000	COMMUNITY ASSISTANCE	2,250,000			(2,250,000)	-
Public Health Lab								
	12730	500000	PERSONAL SERVICES	909,198		(90,920)		818,278
Sheriff Division								
	11510	500000	PERSONAL SERVICES	11,274,978	(174,713)	(1,110,027)		9,990,238
Social Services								
	120	525040	FAMILY ASSISTANCE (FA)	44,504,958			(300,000)	44,204,958
		525050	CWS - FOSTER CARE	62,494,382			(300,000)	62,194,382
		525060	SAFETY NET ASSISTANCE	33,462,859			(300,000)	33,162,859
Youth Detention								
	12620	500000	PERSONAL SERVICES	2,971,104		(297,110)		2,673,994
			Total Expense Adjustments	393,632,593	(3,464,696)	(7,765,392)	(25,072,881)	357,329,622
County Wide Budget Accounts								
	14010	402110	2nd - 1% SALES TAX	108,430,807			(36,302,971)	72,127,836
			Total Revenue Adjustments	108,430,807			(36,302,971)	72,127,836
			Net Co Cost Fund 110		(3,464,696)	(7,765,392)	11,230,090	0
Road Fund - 210 Highways Department								
Highways (DPW)								
	123	500000	PERSONAL SERVICES	9,522,415		(400,000)		9,122,415
	123	Total	Total Expense Adjustments	9,522,415		(400,000)		9,122,415
		486000	INTERFUND-SUBSIDY	2,862,624			(400,000)	2,462,624
			Total Revenue Adjustments	2,862,624			(400,000)	2,462,624
			Net Co Cost Fund 210		0	(400,000)	400,000	0

and be it further,
RESOLVED, that the 2005 Capital Budget shall be reduced by \$50,000,000,

and be it further,
RESOLVED, that the County shall impose a hiring freeze in 2005,

and be it further,
RESOLVED, that the County of Erie is authorized to offer a \$10,000 Early Retirement incentive for all Tier 1 employees budgeted in the operating fund of Erie County, which excludes ECC and Sewer Districts, said incentive shall be limited to \$2,000,000,

and be it further,
RESOLVED, that the Director of Budget, Management and Finance is hereby authorized to make any required balancing budget adjustments which shall include interdepartmental, interfund and revenue items,

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

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

MS. MARINELLI moved to amend the resolution. MR. SWANICK seconded.

CHAIRMAN HOLT directed that a roll call vote be taken.

AYES: MCCARVILLE, SWANICK, WEINSTEIN, DUSZA, HOLT, KUWIK, MARINELLI, SMITH, & WROBLEWSKI. NOES: RANZENHOFER, CUSACK, MARSHALL, AND KENNEDY. (AYES: 10; NOES: 4)

CARRIED.

- **DELETE** Communication 6E-14 in its entirety and **REPLACE** with the following:

WHEREAS, due to a severe 2005 deficit, as announced by the Erie County Executive, it is necessary to make budgetary adjustments to the 2005 Erie County Budget,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County legislature does hereby take note of, and ratify and affirm the budgetary adjustments and changes to the 2005 Erie County Budget made and approved in Comm. 4E-23 (as amended) on February 14,2005, and be it further

RESOLVED that pursuant to Sec 1806 of the Erie County Charter (Erie County local law No. 1-1959, as amended), the following budgetary changes are hereby made to the 2005 Corrected Adopted and Amended Budget

Department	Fund Center	Account	Account Name	2005 Corrected Adopted-Amended Budget	2005 CAAB Adjusted by 2/14 Reso	Additional Adjustments	2005 Adjusted Budget
General Fund-110 Expense							
Board of Elections	15000	500000	PERSONAL SERVICES	2,515,647	(251,565)	(684,964)	1,579,118
Budget, Management and Finance	10210	500000	PERSONAL SERVICES	1,950,292	(297,718)	(604,587)	1,047,987
Buildings & Grounds (DPW)	12220	500000	PERSONAL SERVICES	6,078,201	(816,855)	(2,054,755)	3,206,591
Bureau of Weights & Measures	12230	500000	PERSONAL SERVICES	551,042		(202,834)	348,208
Bureau of Purchase	10610	500000	PERSONAL SERVICES	569,410	(53,668)	(183,255)	332,487
Central Police Services	16500	500000	PERSONAL SERVICES	2,873,404	(176,684)	(822,375)	1,874,345
County Clerk Registrar	11310	500000	PERSONAL SERVICES	2,620,222	(253,571)	(896,199)	1,470,452
County Executive	10100	500000	PERSONAL SERVICES	1,132,435	(283,109)	(39,376)	809,950
County Wide Budget Accounts	14010	502030	FRINGE BENEFITS-EMPLOYEE HEALTH INS	63,745,963	(3,316,074)	(7,076,600)	53,353,289
		516050	HEALTHCARE NETWORK	25,000,000	(2,000,000)	(4,000,000)	19,000,000
DPW Commissioner	12210	500000	PERSONAL SERVICES	1,206,283		(449,268)	757,015
Emergency Medical Services	12720	500000	PERSONAL SERVICES	843,261		(220,288)	622,973
Emergency Services	16700	500000	PERSONAL SERVICES	657,385		(281,142)	376,243
Environment & Planning	16200	500000	PERSONAL SERVICES	1,831,785	(273,723)	(559,744)	998,318
Equal Employment Opportunity	10810	500000	PERSONAL SERVICES	234,005	(46,832)	(63,150)	124,023

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

Department	Fund Center	Account	Account Name	2005 Corrected Adopted-Amended Budget	2005 CAAB Adjusted by 2/14 Reso	Additional Adjustments	2005 Adjusted Budget
Extra Aid to Loc Gov	1335010	516000	COMMUNITY ASSISTANCE POOL	12,500,000		(12,500,000)	0
Forensic Mental Health	12420	500000	PERSONAL SERVICES	927,686		(133,820)	793,866
Health Division	12700	500000	PERSONAL SERVICES	9,626,959	(1,331,563)	(1,817,415)	6,477,981
Law	16010	500000	PERSONAL SERVICES	2,207,310	(212,417)	(545,360)	1,449,533
Legislature	100	500000	PERSONAL SERVICES	2,803,957	(700,989)	(646,974)	1,455,994
Medical Examiner	12740	500000	PERSONAL SERVICES	1,162,113		(308,988)	853,125
Personnel	16110	500000	PERSONAL SERVICES	1,578,228	(172,905)	(498,337)	906,986
Persons/Special Needs	12750	500000	PERSONAL SERVICES CHILDREN WITH SPECIAL NEEDS PROGRAM	1,832,599		(555,936)	1,276,663
		528000	NEEDS PROGRAM	51,200,677		(500,000)	50,700,677
Probation	12610	500000	PERSONAL SERVICES	6,384,715	(632,968)	(1,556,789)	4,194,958
Public Health Lab	12730	500000	PERSONAL SERVICES	909,198	(90,920)	(175,825)	642,453
Senior Services	163	500000	PERSONAL SERVICES	1,634,338	(138,128)	(188,315)	1,307,895
Social Services	120	525000	MMIS-MEDICAID LOCAL SHARE	203,760,983		(6,000,000)	197,760,983
Youth Bureau	12630	500000	PERSONAL SERVICES	65,784		(20,370)	45,414
Youth Detention	12620	500000	PERSONAL SERVICES	2,971,104		(627,957)	2,343,147
			Total Expense Adjustments	411,374,986	(11,049,689)	(44,214,623)	356,110,674
<u>Revenue</u>							
County Wide Budget Accounts	14010	402190	APPROPRIATED FUND BALANCE	17,860,956	14,100,000		31,960,956
			Total Revenue Adjustments	17,860,956	14,100,000		31,960,956
				Net Co Cost Fund 110	(25,149,689)	(44,214,623)	

and be it further,

RESOLVED, that the administrative head of the following departments shall prepare additional line item budget adjustments to achieve a net county share savings in the amounts stated below, within 72 hours of passage of this resolution:

Comptroller	11200	Total Reduction of Local Share	(700,000)
County Clerk Auto Bureau	11320	Consolidation of Auto Bureaus	(2,000,000)
Cultural Resource Advisory Board	1333020	Additional Reductions	(1,000,000)
District Attorney	11400	Total Reduction of Local Share	(1,000,000)
Information and Support Services	105	Total Reduction of Local Share	(3,396,029)
Parks	16410	Total Reduction of Local Share	(3,000,000)
Sheriff Division	11510	Total Reduction of Local Share	(4,100,000)
Social Services	120	Total Reduction of Local Share	(4,700,000)
Highways (DPW)	210	Total Reduction of Local Share	(2,000,000)
		Total Savings	(21,896,029)

and be it further

RESOLVED, that within 72 hours of adoption of this resolution, the administrative head of all county departments shall present to the administration and the

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

Legislature a complete reduction plan and a thorough analysis of program and service eliminations or reductions that will allow them to comply with adjusted budget levels, and be it further

RESOLVED, that such reduction plans shall include all of those specific adjustments made in Comm. 4E-23 (as amended) on February 14-15, 2005, and be it further

RESOLVED that the adjustments and transfers set forth in the foregoing schedules shall go into effect February 21, 2005 subject to Civil Service Law and collective bargaining agreements, and be it further

RESOLVED that the Division of Budget, Management and Finance balance any and all interfund, interdepartmental and/or revenue accounts to reflect all state and federal reimbursements affected by the above adjustments, and be it further

RESOLVED that this Legislature shall reconvene in special session at a time to be determined by rule of this body and the exigencies of this matter for the purpose of taking such other further action as may be necessary to balance the 2005 adopted county budget, and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, Director of Budget, Management and Finance, the County Comptroller, the Sheriff, the District Attorney, the County Clerk, The Commissioners of the Board of Elections, and the County Attorney.

Fiscal Impact: Necessary to balance the 2005 Erie County Budget

MS. MARNELLI moved to approve the resolution as amended. MR. SWANICK seconded.

CHAIRMAN HOLT directed that a roll call vote be taken.

AYES: MCCARVILLE, SWANICK, WEINSTEIN, DUSZA, HOLT, KUWIK, MARINELLI, SMITH, & WROBLEWSKI. NOES: RANZENHOFER, CUSACK, MARSHALL, AND KENNEDY. (AYES: 10; NOES: 4)

CARRIED.

Item 31 – (Comm. 6E-15) DPW - Supplemental Agreement with NYSDOT - North Forest Road CR 294 - Town of Amherst - PIN 5733.74, Erie County

Item 32 – (Comm. 6E-16) DPW - Amendment to Comm. 8E-21 - Reconstruction of Maple Rd. (CR 192) - Town of Amherst - NYSDOT PIN 5755.33

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

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

Item 33 – (Comm. 6E-17) Personnel - Underfill (Trainee) Authorization

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 34 – (Comm. 6E-18) Parks, Rec., & Forestry - Federal/State Disaster Aid - Flood Damage May 13 - June 17, 2004 - Funding Acceptance

Item 35 – (Comm. 6E-19) Parks, Rec., & Forestry - State Aid for Snowmobile Development, 2004-5

Item 36 – (Comm. 6E-20) NYS Quality Communities Application - Shoreline Trail - Signage Coordination Program

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

Item 37 – (Comm. 6E-21) Health - Public Health Laboratories

Received and referred to the COMMUNITY SERVICES COMMITTEE

Item 38 – (Comm. 6E-22) ECSD No. 2 - Engineering Agreement Dated 8/29/02 - URS Corp. - Change Order No. 3

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 39 – (Comm. 6E-23) DPW - Participation with the City of Buffalo in the District Heat Program

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 40 – (Comm. 6E-24) CPS Forensic Laboratory - Forensic DNA Capacity Enhancement Program Formula Grant

Item 41 – (Comm. 6E-25) CPS Forensic Laboratory - Forensic Casework DNA Backlog Reduction Program Formula Grant

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

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

Item 42 – (Comm. 6E-26) ECSD & Southtowns Sewage Treatment Agency - Engineering Agreement Closeout - Amended - Agreement Date: 11/5/98 - URS Corp.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 43 – (Comm. 6E-27) Social Services - Detention Prevention Funding

Item 44 – (Comm. 6E-28) Social Services - Prevention of Gang Violence

Item 45 – (Comm. 6E-29) Health - Lease Agreement Renewal - 85 Manitou, Depew, NY - Lancaster District Office

The above three items were received and referred to the COMMUNITY SERVICES COMMITTEE

Item 46 – (Comm. 6E-30) DPW - Ralph Wilson Stadium - 2005 - Electrical Substation Main Breaker Replacement

Item 47 – (Comm. 6E-31) DPW - Ralph Wilson Stadium - 2005 - Replacement of Field House Artificial Grass Playing Field

Item 48 – (Comm. 6E-32) DPW - Botanical Gardens Implementation of Master Plan - Air Monitoring & Environmental Services

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

Item 49 – (Comm. 6E-33) Central Police Services Forensic Laboratory - National Forensic Sciences Improvement Act Grant Funding

Received and referred to the PUBLIC SAFETY COMMITTEE

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE DEPARTMENT OF ENVIRONMENT & PLANNING

Item 50 – (Comm. 6D-1) A Resolution Calling for a Public Hearing for the Purpose of Considering a Proposed Increase and Improvements in ECSD No. 6

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE CLERK OF THE LEGISLATURE

Item 51 – (Comm. 6D-2) Special Meeting Notice for 2/9/05

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

Received and filed.

FROM THE COUNTY ATTORNEY

Item 52 – (Comm. 6D-3) Copy of the Filing Receipt for NYS Dept. of State for LL No. 1-2005

Received and filed.

Item 53 – (Comm. 6D-4) Transmittal of New Claims Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 54 – (Comm. 6D-5) Notice of Public Hearing - LL No. 1-2005

RECEIVED, FILED, & PRINTED.

February 8, 2005

VIA HAND DELIVERY

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

RE: Notice of Public Hearing
Local Law Intro. No.1-2005
Dear Mr. Kelley:

Enclosed herein is a copy of the Public Hearing Notice for the above-captioned Local Law Intro., which was approved by the Erie County Legislature on February 3, 2005.

Please post the enclosed for the information for anyone who may be interested in attending this hearing.

Very truly yours,

GREGORY J. DUDEK
Assistant County Attorney

Enclosure

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Erie County Executive, Joel A. Giambra, will hold a public hearing, on Wednesday, February 23, 2005, at 9:30 a.m. concerning:

A LOCAL LAW amending Erie County Local Law No.1-1959 as amended constituting the Erie County Charter establishing and convening a commission to be known as the Citizens Budget Review Commission of Erie County.

The hearing will be held in room 1601, 95 Franklin Street, 16th Floor, in the City of Buffalo, New York.

On February 3, 2005, the Erie County Legislature adopted Erie County Local Law Intro. No. 1 of 2005. Copies of the proposed local law are available for public inspection in the office of the Clerk of the Erie County Legislature on the 4th Floor of 92 Franklin Street, in the City of Buffalo, New York.

JOEL A. GIAMBRA
Erie County Executive

Item 55 – (Comm. 6D-6) Law Department's 2005 Budget Adjustments

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE CLERK OF THE LEGISLATURE

Item 56 – (Comm. 6D-7) Cancellation of 2/9/05 Special Session Notice

Received and filed.

FROM THE COUNTY ATTORNEY

Item 57 – (Comm. 6D-8) Transmittal of New Claims Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 58 – (Comm. 6D-9) 2005 Budget Deficit Remediation Cash Flow and Availability Statement

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

FROM THE CLERK OF THE LEGISLATURE

Item 59 – (Comm. 6D-10) Change in Session Starting Time/Change in Session Date

RECEIVED, FILED, & PRINTED.

February 10, 2005

To: All Erie County Legislators

From: Kevin M. Kelley, Clerk of the Legislature

Subject: **CHANGE IN SESSION STARTING TIME**
CHANGE IN SESSION DATE

PLEASE TAKE NOTICE that pursuant to Rule 2.01 of the RULES OF ORDER of the Erie County Legislature and under the direction of Chairman George A. Holt, Jr. , the starting time of the Erie County Legislature session scheduled for February 17,2005 has been changed from **2:00PM to 11:30 AM**.

PLEASE TAKE NOTICE that pursuant to Rule 2.01 of the RULES OF ORDER of the Erie County Legislature and under the direction of Chairman George A. Holt, Jr. , the Session of the Erie County Legislature originally scheduled for March 10, 2005 has been changed.

Chairman Holt has rescheduled that session for **Monday, March 14, 2005 at 2:00 p.m.** in the new Erie County Legislative Chambers, 92 Franklin Street, 4th floor, Buffalo, New York.

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

Be advised that the clock-in deadline for items to be considered at the March 14, 2005 Session will be before 11:00 a.m. on Thursday, March 10, 2005.

ATTACHMENT-1

c: Hon. Joel A. Giambra, County Executive (w/ Attachment)
 Hon. Frank J. Clark, District Attorney (w/ Attachment)
 Hon. Patrick M. Gallivan, Sheriff(w/ Attachment)
 Hon. Nancy A. Naples, Comptroller (w/ Attachment)
 Hon. David J. Swarts, County Clerk (w/ Attachment)
 Other Interested Parties (w/ Attachment)

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

FROM THE COUNTY ATTORNEY

Item 60 – (Comm. 6D-11) Transmittal of New Claims Against Erie County
Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM ERIE COMMUNITY COLLEGE

Item 61 – (Comm. 6D-12) Notice of Board of Trustees Meeting to be Held
2/23/05

Received and filed.

FROM THE COUNTY ATTORNEY

Item 62 – (Comm. 6D-13) Transmittal of New Claims Against Erie County
Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 63 – (Comm. 6D-14) Notice of Board of Trustees Meeting to be Held
2/17/05

Received and filed.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NIAGARA FRONTIER TRANSPORTATION AUTHORITY

Item 64 – (Comm. 6M-1) NFTA Board Minutes for Meeting Held 12/20/04
Received and filed.

FROM THE NYS FISH & WILDLIFE MANAGEMENT BOARD

Item 65 – (Comm. 6M-2) Region 9 FWMA Board Meeting
Received and filed.

FROM THE NIAGARA FRONTIER TRANSPORTATION AUTHORITY

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

Item 65 – (Comm. 6M-3) 17A Report & the Capital Expenditure Reports for 3rd Quarter of FY Ending 3/31/05

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NYS DEPT OF AGRICULTURE & MARKETS

Item 66 – (Comm. 6M-4) District Review Plan to Modify EC Agriculture District No. 1

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE ECIDA

Item 67 – (Comm. 6M-5) Notice of Meeting Held 2/14/05

Received and filed.

FROM THE BUFFALO ARTS COUNCIL

Item 68 – (Comm. 6M-6) Impact of Arts & Cultural Budget Cuts

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE NYS SUPREME COURT

Item 69 – (Comm. 6M-7) Suit Against ECL by Sheriff Patrick Gallivan

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE CITY OF BUFFALO POLICE DEPARTMENT

Item 70– (Comm. 6M-8) Letter to ECL Re: Closure of the EC Central Police Services Laboratory

Received and referred to the PUBLIC SAFETY COMMITTEE

FROM THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES

Item 71– (Comm. 6M-9) Letter to Chairman Holt Re: Elimination of the Western Region Statewide Automated Fingerprint Identification Processing Site

Received and referred to the PUBLIC SAFETY COMMITTEE

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

FROM THE EC FIRE ADVISORY BOARD

Item 72– (Comm. 6M-10) Copy of Press Release Re: 2005 Erie County Budget

Received and referred to the PUBLIC SAFETY COMMITTEE

FROM THE CRIME PREVENTION ASSN. OF WNY, INC

Item 73– (Comm. 6M-11) Letter to Chairman Holt Re: Public Safety Concerns as a Result of 2005 EC Budget

Received and referred to the PUBLIC SAFETY COMMITTEE

FROM THE MENTAL HYGIENE COMMUNITY SERVICES BOARD

Item 74– (Comm. 6M-12) Notice of Meeting to Be Held 2/17/05

Received and filed.

FROM THE EC ENVIRONMENTAL MANAGEMENT COUNCIL

Item 75– (Comm. 6M-13) Notice of Meeting & Agenda for Meeting Held 2/15/05

Received and filed.

FROM THE ECWA

Item 76– (Comm. 6M-14) Letter to ECL Re: NYS Comptroller's Audit of ECWA

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE AFSCME LOCAL 1095

Item 77– (Comm. 6M-15) Letter to ECL Re: Recommendations for Elimination of Positions

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

MEMORIAL RESOLUTIONS

Item 78 – Mr. Swanick requested that when the Legislature adjourns, it do so in memory of James DeBenedetti.

MEETING NO. 6
February 17, 2005

ERIE COUNTY LEGISLATURE

Item 79 – Mr. McCarville requested that when the Legislature adjourns, it do so in memory of George Orlando.

Item 80 – Ms. Chase requested that when the Legislature adjourns, it do so in memory of Edward Herr.

Item 81 – Mr. Smith requested that when the Legislature adjourns, it do so in memory of Mr. Flat.

Item 82 – Mr. Smith requested that when the Legislature adjourns, it do so in memory of Dana Malay.

ADJOURNMENT

Item 83 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MR. KUWIK moved that the Legislature adjourn until 2 p.m. Monday, March 14, 2005. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Monday, March 14, 2005 at 2 p.m. Eastern Standard Time.

KEVIN M. KELLEY
CLERK