

**ERIE COUNTY LEGISLATURE
MEETING NO. 28
DECEMBER 11, 2008**

The Legislature was called to order by Chair Marinelli.

All members present.

An Invocation was held, led by Mr. Kennedy, who requested a moment of silence in recognition of the passing of Mr. Ranzenhofer's father, Theodore Ranzenhofer.

The Pledge of Allegiance – Mr. Kozub requested that Timothy G. Ellis, Upon Being Named Teacher of the Year in Erie County by the Veterans of Foreign Wars, lead the Legislature in the pledge.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MS. WHYTE moved for the approval of the minutes for Meeting Number 26 from 2008. MR. REYNOLDS seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MS. IANNELLO presented a resolution Recognizing Huth Road Elementary on its 50th Anniversary.

Item 6 – MS. IANNELLO presented a resolution Honoring Cpl. Philip Marconi United States Marine Corps for His Years of Dedicated Service to His Country.

Item 7 – MS. IANNELLO presented a resolution Honoring the Memory of Audrey Carberry.

Item 8 – MS. IANNELLO presented a resolution Honoring Tim Newman Named Firefighter of the Year by the Exchange Club of the Tonawandas.

Item 9 – MS. IANNELLO presented a resolution Honoring James McDonnell for Achieving the Rank of Eagle Scout.

Item 10 – MS. IANNELLO presented a resolution Honoring Robert Hassett for Saving an Infant's Life.

Item 11 – MS. IANNELLO presented a resolution Congratulating the Sheridan Parkside Village Association on its 15th Anniversary.

Item 12 – MS. IANNELLO presented a resolution Congratulating David Cich, Jr. Upon His Graduation from Firefighter I Training.

Item 13 – MS. IANNELLO presented a resolution Congratulating David Dawson Upon His Graduation from Firefighter I Training.

Item 14 – MS. IANNELLO presented a resolution Congratulating Nicole Gerber Upon Her Graduation from Firefighter I Training.

Item 15 – CHAIR MARINELLI presented a resolution Congratulating Carrie Marie Russell Smith on Her 80th Birthday.

Item 16 – MS. MILLER-WILLIAMS presented a resolution Commending the F.A.T.H.E.R.S. of Buffalo for Their Leadership in the Annual “Toys for Joy” Campaign.

Item 17 – CHAIR MARINELLI, MR. MILLS, MR. KOZUB, MR. MAZUR & MR. WROBLEWSKI presented a resolution Congratulating Dr. Kazimierz Braun of the UB Department of Theatre & Dance on the American Premiere of his Play “Tales of Pola Negri.”

Item 18 – MR. MILLS presented a resolution Honoring Michael H. Ranzenhofer on His Retirement from the Erie County Legislature and His Election to the NYS Senate.

Item 19 – MR. MILLS presented a resolution Congratulating Christian Link on Achieving the Rank of Eagle Scout.

Item 20 – MR. RATH presented a resolution Congratulating Sweet Home High School on Winning the Class A Football State Championship.

Item 21 – MS. WHYTE presented a resolution Honoring Timothy G. Ellis Upon Being Named Teacher of the Year in Erie County by the Veterans of Foreign Wars.

Item 22 – MS. KONST presented a resolution Congratulating Doris J. Glowonia for Her Outstanding Contributions to the Circle of Friends.

Item 23 – MR. KOZUB, CHAIR MARINELLI, MS. WHYTE, MR. MILLS, MS. MILLER-WILLIAMS, MR. RANZENHOFER, MS. KONST, MS. GRANT, MR. MAZUR, MS. IANNELLO, MR. REYNOLDS, MR. LOUGHRAN & MR. RATH presented a resolution Congratulating the UB Bulls on Heading to the International Bowl as Division I Mid-American Conference Champs and the 50th Anniversary of the Bulls Taking a Stand Against Racial Segregation.

Item 24 – MS. IANNELLO presented a Memorial Resolution in Honor of Charles F. VanVolkenburg.

MS. WHYTE moved for consideration of the above twenty items. MS. MILLER-WILLIAMS seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to amend the above twenty items to include Et Al Sponsorship. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved for approval of the above twenty items as amended. MS. IANNELLO seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 25 – CHAIR MARINELLI directed that Local Law No. 1 (Print #1) 2007 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 26 – CHAIR MARINELLI directed that Local Law No. 3 (Print #2) 2007 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 27 – CHAIR MARINELLI directed that Local Law No. 8 (Print #1) 2007 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 28 – CHAIR MARINELLI directed that Local Law No. 9 (Print #1) 2007 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 29 – CHAIR MARINELLI directed that Local Law No. 2 (Print #1) 2008 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 30 – CHAIR MARINELLI directed that Local Law No. 3 (Print #2) 2008 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 31 – CHAIR MARINELLI directed that Local Law No. 5 (Print #1) 2008 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 32 – CHAIR MARINELLI directed that Local Law No. 8 (Print #1) 2008 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 33 – MS. WHYTE moved to take Local Law No. 9 (Print #1) 2008 off the table. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

Local Law Intro. No. 9 - 2008

Local Law No. _____ - 2008

State of New York
County Of Erie

A local law increasing the per page fee collected by the County Clerk's Office for recording, entering and indexing any instrument, and endorsing a certificate thereon, in connection with papers or instruments relating to real property and not filed under the uniform commercial code.

Be enacted by the Erie County Legislature as follows:

Section 1. Title: Increase in Per Page Fee.

Section 2. Declaration of Intent:

In accordance with subparagraph (a)(2) of paragraph (4) of subdivision (a) of section 8021 of the Civil Practice Law and Rules, as amended by Chapter 288 of the Laws of 2008, the Erie County Legislature hereby increases the fee charged per page for recording, entering and indexing any instrument, and endorsing a certificate thereon.

Section 3: Per Page Fee for Recording Documents.

The per page fee for recording, entering and indexing any instrument, and endorsing a certificate thereon, is increased from three dollars to five dollars for each page or portion of a page. For the purpose of determining the appropriate per page fee, which shall be in addition to the existing fifteen dollar cover page fee and five dollar endorsement fee, the cover page shall be deemed an additional page of the instrument. A cover page shall not include any social security account number or date of birth.

Section 4: Severability.

If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.

Section 5: Effective Date

This local law shall take effect thirty days after filing in the Office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

LYNN M. MARINELLI
MARIA R. WHYTE
JOHN J. MILLS
BETTY JEAN GRANT

MS. WHYTE moved for approval of Local Law No. 9 (Print #1) 2008. MR. KOZUB seconded.

CHAIR MARINELLI directed that a roll call vote be taken.

AYES: MR. MILLS, MR. RATH, MS. GRANT, MR. KENNEDY, MS. KONST, MR. KOZUB, MR. LOUGHRAN, CHAIR MARINELLI, MR. MAZUR, MS. MILLER-WILLIAMS, MR. REYNOLDS, MS. WHYTE & MR. WROBLEWSKI. NOES: MR. RANZENHOFER & MS. IANNELLO. (AYES: 13; NOES: 2)

CARRIED.

COMMITTEE REPORTS

Item 34 – MS. KONST presented the following report and moved for immediate consideration and approval. MS. WHYTE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 378

DECEMBER 8, 2008	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 13
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR GRANT. CHAIR MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 10M-17 (2008)
VILLAGE OF EAST AURORA: Assisting Merchants of Village of East Aurora -
Construction of Main Street
(5-0)
 - b. COMM. 22E-1 (2008)

- COMPTROLLER: Public Nursing Home Supplemental Medicaid Upper Payment Limit \$16 Million Payment to NYS
(5-0)
- c. COMM. 23D-1 (2008)
DIRECTOR OF BUDGET & MANAGEMENT: Budget Monitoring Report for 8/31/08 to 9/30/08
(5-0)
- d. COMM. 23D-2 (2008)
DIRECTOR OF INTERGOVERNMENTAL AFFAIRS: Requested Information - Parks Fees
(5-0)
- e. COMM. 23D-3 (2008)
DIRECTOR OF INTERGOVERNMENTAL AFFAIRS: Requested Information - REAM
(5-0)
- f. COMM. 23M-3 (2008)
TOWN OF BOSTON: Resolution Supporting EC Core Funding for the EC Soil & Water Conservation Dist.
(5-0)
- g. COMM. 23M-4 (2008)
TOWN OF GRAND ISLAND: Resolution Supporting Restoration of Funding to Cooperative Extension, 4H and EC Soil & Water Conservation Dist.
(5-0)
- h. COMM. 23M-6 (2008)
TOWN OF EDEN: Resolution Urging Support for EC Funding of Soil & Water Conservation, 4H and Cooperative Extension
(5-0)
- i. COMM. 26E-3 (2008)
COUNTY CLERK: NYS Mortgage Tax Semi-Annual Report of Receipts and Disbursements
(5-0)
- j. COMM. 26M-1 (2008)
TOWN OF BRANT: Support for EC Funding of Cornell Cooperative Extension & EC Soil & Water Conservation District
(5-0)
- k. COMM. 26M-2 (2008)
TOWN OF CLARENCE: Funding for EC Soil & Water Conservation District
(5-0)
- l. COMM. 26M-5 (2008)
TOWN OF HOLLAND: Support for EC Funding of Cornell Cooperative Extension & EC Soil & Water Conservation District

(5-0)

- m. COMM. 26M-9 (2008)
TOWN OF COLDEN: In Support of the Cooperative Extension and EC Soil & Water Conservation District
(5-0)

- 2. COMM. 19D-2 (2008)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556; and

WHEREAS, the Director has investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 208314 through 208324, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities:

FISCAL YEAR	2008	Petition No.	208,314.00
	ASSESSOR	Refund	\$544.66
S-B-L	56.15-1-57	142289 AMHERST	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$544.66	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST	\$544.66	
	Relevy School	\$544.66	142203 WILLIAMSVILLE CENT

RPTL 550(2): FAILED TO APPLY A BASIC STAR EXEMPTION
NEW TAX BILL TO BE ISSUED TO: SHELAT R & KRISHNA MAULIK

FISCAL YEAR	2008	Petition No.	208,315.00
	ASSESSOR	Refund	\$598.96
S-B-L	78.29-4-8.1	146489 TONAWANDA	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$598.96	Town/SpecialDist/School
<u>Charge To :</u>	146489 TONAWANDA	\$598.96	
	Relevy School	\$598.96	146401 KEN-TON UNION FREE

RPTL 550(2): FAILED TO APPLY A BASIC STAR EXEMPTION
REFUND TO BE ISSUED TO: LISA A VANICH

FISCAL YEAR 2008 Petition No. 208,316.00

ASSESSOR Refund \$158.89

S-B-L 124.54-2-14 146800 WEST SENECA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$158.89 Town/SpecialDist/School

68265 ECSAN SWR #6 \$158.89

Charge To : 146800 WEST SENECA \$0.00

RPTL 550 (2): INCORRECT NUMBER OF SEWER UNITS CHARGED
REFUND TO BE ISSUED TO: PAUL G VOGEL

FISCAL YEAR 2008 Petition No. 208,317.00

ASSESSOR Refund \$453.88

S-B-L 56.17-2-8 142289 AMHERST

Acct. No. 112 \$0.00 County
Acct. No. 132 \$453.88 Town/SpecialDist/School

Charge To : 142289 AMHERST \$453.88
Relevy School \$453.88 142203 WILLIAMSVILLE CENT

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED
REFUND TO BE ISSUED TO: JOHN P SKILL JR

FISCAL YEAR 2008 Petition No. 208,318.00

ASSESSOR Refund \$586.16

S-B-L 64.05-1-68 144600 GRAND ISLAND

Acct. No. 112 \$0.00 County
Acct. No. 132 \$586.16 Town/SpecialDist/School

Charge To : 144600 GRAND ISLAND \$586.16
Relevy School \$586.16 144601 GRND ISLN CENTRAL

RPTL 550(2): FAILED TO APPLY A BASIC STAR
REFUND TO BE ISSUED TO: CHARLES J & LINDA L SORCE

FISCAL YEAR 2008 Petition No. 208,319.00

 ASSESSOR Refund \$454.22

S-B-L 116.08-1-66 145289 LANCASTER

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$454.22	Town/SpecialDist/School
<u>Charge To :</u>	145289 LANCASTER	\$454.22	
	Relevy School	\$454.22	145201 LANCASTER CENTRAL

RPTL 550(2): FAILED TO APPLY A BASIC STAR
REFUND TO BE ISSUED TO: STEPHEN J GORDON & M ATTOINETTE GABAMONTE

FISCAL YEAR 2007 Petition No. 208,320.00

 ASSESSOR Refund \$589.35

S-B-L 68.17-8-19 142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$589.35	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST	\$589.35	
	Relevy School	\$589.35	142201 AMHERST CENTRAL

RPTL 550(2): FAILED TO APPLY A BASIC STAR
REFUND TO BE ISSUED TO: JON B & TAMMI SCHINAMAN

FISCAL YEAR 2008 Petition No. 208,321.00

 ASSESSOR Refund \$564.72

S-B-L 68.17-8-19 142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$564.72	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST	\$564.72	
	Relevy School	\$564.72	142201 AMHERST CENTRAL

RPTL 550(2): FAILED TO APPLY A BASIC STAR
REFUND TO BE ISSUED TO: JON B & TAMMI SCHINAMAN

FISCAL YEAR 2007 Petition No. 208,322.00

ASSESSOR Refund \$1,844.33

S-B-L 183.18-1-1.1 144803 HAMBURG

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,844.33	Town/SpecialDist/School
<u>Charge To :</u>	144803 HAMBURG		\$1,844.33
	Relevy School	\$1,844.33	144801 HAMBURG CENTRAL

RPTL 550(3): PROPERTY WAS TAKEN BY DOT
REFUND TO BE ISSUED TO: BENDERSON

FISCAL YEAR 2008 Petition No. 208,323.00

ASSESSOR Refund \$1,071.10

S-B-L 183.18-1-1.1 144803 HAMBURG

	Acct. No. 112	\$573.39	County
	Acct. No. 132	\$497.71	Town/SpecialDist/School
48608 EC #3 VILL HAM		\$53.87	
48609 EC #3 VILL HAM		\$150.00	
<u>Charge To :</u>	144803 HAMBURG		\$293.84

RPTL 550(3): PROPERTY WAS TAKEN BY DOT
REFUND TO BE ISSUED TO: BENDERSON

FISCAL YEAR 2008 Petition No. 208,324.00

ASSESSOR Refund \$1,992.25

S-B-L 183.18-1-1.1 144803 HAMBURG

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,992.25	Town/SpecialDist/School
<u>Charge To :</u>	144803 HAMBURG		\$1,992.25
	Relevy School	\$1,992.25	144801 HAMBURG CENTRAL

RPTL 550(3): PROPERTY WAS TAKEN BY DOT
REFUND TO BE ISSUED TO: BENDERSON

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.
(5-0)

3. COMM. 26E-7 (2008)
COUNTY EXECUTIVE

WHEREAS, after a public hearing, held on September 23, 2008 by Buffalo Place Inc., and upon adoption of Intro 21-1, October 23, 2008, the Erie County Legislature determined that the total amount to be raised by mall district service charges for 2009 for the downtown pedestrian/transit mall special district shall be the sum of \$ 1,248,662; and

WHEREAS, the 2009 Mall District Budget requires that the amount to be raised by Mall District payments in lieu for 2009 for the downtown pedestrian/transit mall special district shall be the sum of \$ 18,000.00; and

WHEREAS, the Director of Real Property Tax Services has established the 2009 mall district service charge and payment in lieu roll apportioning the amount to be raised and has transmitted such roll to the Erie County Legislature for adoption.

NOW THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby adopt the mall district service charge and payment in lieu roll established by the Director of Real Property Tax Services for the purpose of assessing 2009 service charges for the downtown pedestrian/transit mall special district; and be it further

RESOLVED, that 2009 mall district service charges and payment in lieu shall be assessed, due and a lien on benefited properties within the downtown pedestrian/transit mall special district on and as of January 1, 2009 and shall be payable to the Director of Real Property Tax Services as provided in Erie County Local Law No. 8-1984; and be it further

RESOLVED, that late fees shall be collected on payments made after the dates provided in Erie County Local Law No. 8-1984, and an interest budget line of \$ 10,000.00 shall be added to the Mall Budget for collection of these late fees; and be it further

RESOLVED, that the Director of Real Property Tax Services is hereby authorized to make adjustments and modifications as he deems appropriate; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, Chris Collins, Budget Director, Greg Gach, County Comptroller, Asst. County Attorney James L. Tuppen, and Joseph L. Maciejewski, Director Real Property Tax Services.
(5-0)

4. COMM. 26E-8 (2008)
COUNTY EXECUTIVE

BE IT RESOLVED, that the Erie County Director of Real Property Tax Services is directed to spread the amount of taxes, as indicated on the attached schedule, upon the tax rolls of the several

municipalities in Erie County, being taxes due from the exemption removal on properties transferred during the past year, pursuant to Section 520 of the Real Property Tax Law; and be it further

520 EXEMPTION REMOVAL FOR 2009 COUNTY TAX

	County	Town	School	Total
City of Buffalo	209,050.69	-	-	209,050.69
City of Lackawanna	29,756.29	-	-	29,756.29
City of Tonawanda	19,729.82	36,179.75	9,870.87	65,780.44
Alden	9,281.51	2,787.59	10,187.10	22,256.20
Amherst	79,752.31	84,588.76	-	164,341.07
Aurora	13,431.91	5,636.55	20,665.55	39,734.01
Boston	1,437.13	444.70	368.34	2,250.17
Brant	-	-	-	-
Cheektowaga	79,598.72	105,906.92	38,318.82	223,824.46
Clarence	4,691.29	1,928.98	3,899.38	10,519.65
Colden	43.74	18.38	10.15	72.27
Collins	-	-	-	-
Concord	734.32	190.81	-	925.13
Eden	-	-	-	-
Elma	2,773.45	134.89	279.11	3,187.45
Evans	5,782.35	6,743.12	1,291.56	13,817.03
Grand Island	12,286.36	6,909.12	12,528.48	31,723.96
Hamburg	33,782.04	23,631.25	14,295.55	71,708.84
Holland	1,824.91	1,005.97	1,015.81	3,846.69
Lancaster	21,565.82	19,119.14	10,151.95	50,836.91
Marilla	-	-	-	-
Newstead	3,299.38	871.88	533.36	4,704.62
North Collins	95.75	120.12	-	215.87
Orchard Park				

	17,883.08	10,332.91	10,688.52	38,904.51
Sardinia	476.57	2.77	325.07	804.41
Town of				
Tonawanda	86,145.95	79,516.93	32,444.52	198,107.40
Wales	455.57	197.03	-	652.60
West Seneca	28,940.45	44,998.87	20,641.34	94,580.66
GRAND				
TOTALS	662,819.41	431,266.44	187,515.48	1,281,601.33

and be it further

RESOLVED, that certified copies of this resolution shall be sent to the County Executive, the Director of Real Property Tax Services, Joseph Maciejewski, the Erie County Comptroller, and the Assistant County Attorney James L. Tuppen.
(5-0)

KATHY KONST
CHAIR

CHAIR MARINELLI directed that COMM. 28E-14 be taken out of order.

FROM THE COUNTY EXECUTIVE

Item 35 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MS. MILLER-WILLIAMS seconded.

MR. LOUGHRAN moved to send the item to committee for further consideration. No second of the motion was made.

MOTION FAILS.

CHAIR MARINELLI moved the question. MR. WROBLEWSKI and MR. LOUGHRAN voted in the negative.

CARRIED. (13-2)

RESOLUTION NO. 379

RE: Authorization for County Executive to Sign PILOT Application Agreement for H@LOFTS
(COMM. 28E-14)

WHEREAS, the State of New York has established an Empire Zone Program to revitalize designated geographic areas by providing financial inducements for businesses and industry to locate within Empire Zones; and

WHEREAS, the Erie County Industrial Development Agency (ECIDA) is empowered by New York State to issue Payment In Lieu Of Tax (PILOT) agreements to exempt and divert real property tax payments for the purpose of economic development; and

WHEREAS, Erie County wishes to benefit by receiving full economic value of real property and taxes generated from the redevelopment of functionally obsolete, vacant properties in Erie County; and

WHEREAS, Erie County wishes to receive the public benefits of job creation, restoration of historic buildings, and robust commercial development; and

WHEREAS, Erie County wishes to assist the H@LOFTS, LLC project at the former AM&A's warehouse, 369 Washington Street, Buffalo, New York, mitigate the extraordinary environmental, structural, and building code compliance costs of redevelopment.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment In Lieu Of Tax (PILOT) Application Agreement issued by the ECIDA relative to the H@LOFTS, LLC project at the former AM&A's warehouse, 369 Washington Street, Buffalo, New York, which will provide for a diversion of a portion of PILOT payments due to the County for County tax fiscal years 2011 through and including 2016; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Director of Budget and Management; Holly A. Sinnott, Commissioner of Environment and Planning; Daniel D. Barry, Deputy Commissioner of Environment and Planning; the County Comptroller; and the County Attorney.

CHAIR MARINELLI further directed that the balance of Communications from Elected Officials, Communications from the Departments, Communications from the People and Other Agencies, and Announcements be taken out of order.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY CLERK

Item 36 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 380

RE: Lease with Eastern Hills Mall to Operate
an Auto Bureau On Site
(COMM. 28E-1)

WHEREAS, the Erie County Clerk's Office, as part of its duties and responsibilities, is charged with the operation of local Auto Bureaus; and

WHEREAS, the Erie County Clerk's Office / County of Erie has negotiated with Glenmont MDC Eastern Hills LLC for a certain lease for space to operate one of the Auto Bureaus in Erie County; and

WHEREAS, the 2008 County Budget as amended and adopted made an appropriation for expenses associated with the operation of the Auto Bureaus in Erie County; and

WHEREAS, Glenmont MDC Eastern Hills LLC has accepted two (2) months rent as payment in full and waived the additional rent for the offered space for period of Three (3) years.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive enter into and sign an Agreement with Glenmont MDC Eastern Hills LLC as landlord of the Buffalo Auto Bureau for a period of three (3) years to commence on January 2, 2009 or as soon thereafter as practicable; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the County Clerk, the County Comptroller, and the County Attorney.

FROM LEGISLATOR RANZENHOFER

Item 37 – (COMM. 28E-2) Letter of Absence for Session #27, 12/9/08

Received, Filed & Printed.

December 8, 2008

Hon. Lynn M. Marinelli, Chair
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Chair Marinelli,

I will be unable to attend the special session on December 9, 2008, due to a family emergency.

Thank you.

Yours Truly,

Michael H. Ranzenhofer
Erie County Legislator – 4th District

cc: Robert M. Graber, Clerk
Erie County Legislature

FROM CHAIR MARINELLI

Item 38 – (COMM. 28E-3) 2009 Schedule of Legislative Sessions

Received, Filed & Printed.

To: Robert M. Graber, Clerk

From: Lynn M. Marinelli, Chairperson

Subject: 2009 SCHEDULE OF LEGISLATIVE SESSIONS

JANUARY

8
29

JULY

9
30

FEBRUARY

5
19

AUGUST

Recess

MARCH

12
26

SEPTEMBER

10
24

APRIL

16
30

OCTOBER

8
22

MAY

14
28

NOVEMBER

5
19

JUNE

11
25

DECEMBER

1 *Budget*
3
8 *Budget Override*
17

FROM LEGISLATOR MILLER-WILLIAMS

Item 39 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MS. IANNELLO seconded. MS. MILLER-WILLIAMS abstained.

CARRIED. (14-0-1)

RESOLUTION NO. 381

RE: Lease for Legislative Office Space
(COMM. 28E-4)

RESOLVED, the Erie County Executive is hereby authorized to sign a One (1) Year Lease Agreement with Towne Garden, LLC for Legislative office space for Barbara Miller-Williams, located at 427 William Street, Buffalo, New York 14204 for a monthly rate of \$725.

FROM THE COUNTY EXECUTIVE

Item 40 – (COMM. 28E-5) Parenting Training & Respite Services Contracts

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 41 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 382

RE: Transfer of Funds - EMS
(COMM. 28E-6)

WHEREAS, the Division of Emergency Medical Services has analyzed their objects of expense and has determined that in Professional Services, Account #516020, expenditures will exceed appropriations by an estimated \$30,000.00; and

WHEREAS, the Division of Emergency Medical Services has developed a shortfall due to a delay in transitioning E.M.S. instructors to part time employees, requiring unanticipated expenditures from the Professional Services account; and

WHEREAS, a transfer of funds must be made in order to fulfill our commitments to Erie Community College and various volunteer EMS agencies for responses to County facilities.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature is hereby approves the following transactions within the accounts of the Department of Health Division of Emergency Medical Services:

APPROPRIATIONS

<u>Account No.</u>	<u>Description</u>	<u>Current Budget</u>	<u>Changes</u>	<u>Amended Budget</u>
500010	Part Time – Wages	\$225,614	\$-30,000	\$195,614
516020	Professional Services	\$53,195	<u>+ 30,000</u>	\$83,195
TOTAL CHANGE			-0-	

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Comptroller's Office, the County Executive's Office, Department of Personnel, the Division of Budget and Management, the Department of Law, and to Dr. Anthony J. Billittier, IV, Commissioner, Department of Health, Rath Building, 9th Floor.

Item 42 – (COMM. 28E-7) Sewerage Management - Capital Improvement Planning Process - Centralized Maintenance Mgt. System Services

Item 43 – (COMM. 28E-8) ECSD No. 5 - Transit Rd. Sanitary Sewer Rehab. - Contract Close Out - Kandey Company, Inc.

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

Item 44 – (COMM. 28E-9) Lab Corp of America Holdings

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 45 – (COMM. 28E-10) Appointment to ECSD No. 5

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 46 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. KENNDEY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 383

RE: Emergency Services - Acceptance of
State Law Enforcement Terrorism
Prevention Program Funds
(COMM. 28E-11)

WHEREAS, the U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) has agreed to provide funding in the amount of \$411,250 in Federal assistance to continue the implementation of a program to enhance the ability for Erie County to manage emergency, disaster and terrorist situations; and

WHEREAS, the Erie County Legislature needs to authorize the County Executive to accept \$411,250 in Federal resources to provide funding for the purchase of necessary equipment to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, the Department of Emergency Services goals and objectives are to enhance the ability of Erie County to manage emergency and disaster situations.

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature authorizes the County Executive to enter into contract to receive \$411,250 in grant funding for the Department of Emergency Services; and be it further

RESOLVED, that these funds will be utilized to enhance the ability of Erie County to manage emergency and disaster situations and; and be it further

RESOLVED, that authorization is hereby provided to establish the following budget in the grant fund:

Erie County Department of Emergency Services
State Law Enforcement Terrorism Prevention Program (LETPP)

<u>Revenue</u>	<u>Increase</u>
Account 409000 State Aid	\$411,250
<u>Appropriations</u>	<u>Increase</u>
Account 515000 Utility Charges	\$ 216,000
Account 561410 Equipment (Lab & Tech)	\$ 67,450
Account 561440 Motor Vehicles	\$ 127,800
Total Appropriations	\$411,250

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to establish and adjust budgets as required to comply with final State approved funding levels; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Emergency Services, the Department of Central Police Services, the County Comptroller, and the County Attorney.

MS. WHYTE moved to amend the item. MS. IANNELLO seconded.

CARRIED UNANIMOUSLY.

Add the Following Two Resolved Clauses as the First and Second Resolved Clauses:

RESOLVED, that no new jobs will be created with these grant funds; and be it further

RESOLVED, that the Commissioner of Emergency Services will come before the Public Safety Committee at the next regularly scheduled meeting and provide a detailed report for the work plan to be funded with this grant in 2009; and be it further

MS. WHYTE moved for approval of the item as amended. MR. WROBLEWSKI seconded.

CARRIED UNANIMOUSLY.

Item 47 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 384

RE: Emergency Services - Acceptance of
State Homeland Security Program Funds
(COMM. 28E-12)

WHEREAS, the U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) has agreed to provide funding in the amount of \$1,233,750 in Federal assistance to continue the implementation of a program to enhance the ability for Erie County to manage emergency, disaster and terrorist situations; and

WHEREAS, the Erie County Legislature is required to authorize the County Executive to enter into contract and accept \$1,233,750 in Federal resources to provide funding for personnel and purchase of necessary equipment to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, the Department of Emergency Services goals and objectives are to enhance the ability of Erie County to manage emergency and disaster situations.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided for the County Executive to enter into contract to receive \$1,233,750 in grant funding for the Department of Emergency Services; and be it further

RESOLVED, that these funds will be utilized to enhance the ability of Erie County to manage emergency and disaster situations; and be it further

RESOLVED, that authorization is hereby provided to establish funding in the grant fund in order to establish this grant as follows:

Department of Emergency Services
State Homeland Security Program (SHSP) Fiscal Year 2008 Grant

<u>Revenue</u>	<u>Increase</u>
Account 409000 State Aid	\$1,233,750.00
<u>Appropriations</u>	<u>Increase</u>
Account 500000 Full Time Salaries	\$ 107,187
Account 502000 Fringe Benefits	42,905
Account 516020 Professional Services Contracts & Fees	77,125
Account 561410 Lab and Tech Equipment	961,902
Account 561440 Motor Vehicle	40,000
Account 510100 Out of Area Travel	4,631
Total Appropriations	\$1,233,750

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to establish and adjust budgets as required to comply with State approved funding levels; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Personnel, the Department of Emergency Services, the Department of Central Police Services, the County Comptroller, and the County Attorney.

MS. WHYTE moved to amend the item. MS. MILLER-WILLIAMS seconded.

CARRIED UNANIMOUSLY.

Add the Following Two Resolved Clauses as the First and Second Resolved Clauses:

RESOLVED, that no new jobs will be created with these grant funds; and be it further

RESOLVED, that the Commissioner of Emergency Services will come before the Public Safety Committee at the next regularly scheduled meeting and provide a detailed report for the work plan to be funded with this grant in 2009; and be it further

MS. WHYTE moved for approval of the item as amended. MR. WROBLEWSKI seconded.

CARRIED UNANIMOUSLY.

Item 48 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 385

RE: Emergency Services - Acceptance of
Urban Security Initiative Funds
(COMM. 28E-13)

WHEREAS, the New York State Weapons of Mass Destruction (WMD) Task Force has agreed to provide funding in the amount of \$1,568,695 in Federal assistance to continue the implementation of a program to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, the Erie County Legislature is required to authorize the County Executive to enter into contract and accept \$1,568,695 in Federal resources to provide funding for personnel and purchase of necessary equipment to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, the Department of Emergency Services goals and objectives are to enhance the ability of Erie County to manage emergency and disaster situations.

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature authorizes the County Executive to enter into contract to receive \$1,568,695 in grant funding for the Department of Emergency Services; and be it further

RESOLVED, these funds will be utilized to enhance the ability of Erie County to manage emergency and disaster situations; and be it further

RESOLVED, that authorization is hereby provided to establish the following budgetary accounts in the grant fund:

Erie County Department of Emergency Services
Grant Fund - Urban Area Security Initiative (UASI)

<u>Revenue</u>	<u>Increase</u>
Account 409000 State Aid	\$1,568,695
<u>Appropriations</u>	<u>Increase</u>
Account 500000 Personnel Costs	\$257,470
Account 502000 Fringe Benefits	94,654
Account 516020 Professional Contracts & Fees	25,000
Account 561410 Equipment (Lab & Tech)	941,571
Account 561440 Motor Vehicles	250,000
Total Appropriations	\$1,568.695

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to establish and adjust budgets as required to comply with final State approved funding levels; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Personnel, the Department of Emergency Services, the Department of Central Police Services, the County Comptroller, and the County Attorney.

MS. WHYTE moved to amend the item. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

Add the Following Two Resolved Clauses as the First and Second Resolved Clauses:

RESOLVED, that no new jobs will be created with these grant funds; and be it further

RESOLVED, that the Commissioner of Emergency Services will come before the Public Safety Committee at the next regularly scheduled meeting and provide a detailed report for the work plan to be funded with this grant in 2009; and be it further

MS. WHYTE moved for approval of the item as amended. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

Item 49 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 386

RE: 2009 Town Budgets & Special District
Budgets
(COMM. 28E-15)

RESOLVED, that the following abstracts of the adopted Town Budgets and Special District Budgets for the year 2009, as certified and presented to this Legislature by the appropriate Town Officers; be printed by the Clerk in the minutes of the proceedings of this Legislature; and be it further

RESOLVED, that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and Districts and liable therefore; and be it further

RESOLVED, that the Director of Real Property Tax Services is hereby directed to spread said taxes to be so raised for such budgets against the taxable property liable therefore as provided by Article VI of the Erie County Tax Act, as amended; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Budget and Management Greg Gach, the County Comptroller, Cheryl Green, the County Attorney and Joseph Maciejewski, Director of Real Property Tax Services.

ALDEN

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	1,446,366.00	798,540.00	647,826.00
General Town Outside	224,581.00	218,500.00	6,081.00
Highway Town Outside	765,655.00	652,400.00	113,255.00
Total Town & Highway	2,436,602.00	1,669,440.00	767,162.00
Fire Protection Dist	665,416.00	11,000.00	654,416.00
Lighting District	88,000.00	10,525.00	77,475.00
Garbage District	400,280.00	39,500.00	360,780.00

Sewer District #1	44,000.00	1,244.00	42,756.00
Sewer District #2	44,725.00	750.00	43,975.00
Water Districts 1,2,3,4	147,100.00	26,550.00	120,550.00
Water #5 (O/D)	3,000.00	-	3,000.00
Water #9 (O/D)	200.00	-	200.00
Delinq. Water	1,879.00	-	1,879.00
Omitted Tax	-	-	-
Total Special Districts	1,394,600.00	89,569.00	1,305,031.00
GRAND TOTALS	3,831,202.00	1,759,009.00	2,072,193.00

AMHERST

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund Town Only	50,882,118.00	33,477,765.00	17,404,353.00
General Fund Village Only	2,241,816.00	697,812.00	1,544,004.00
General Fund Outside Village	5,599,333.00	2,192,530.00	3,406,803.00
Highway Fund Outside Village	10,502,776.00	1,430,894.00	9,071,882.00
Central Alarm	1,449,116.00	321,892.00	1,127,224.00
Total Town & Highway	70,675,159.00	38,120,893.00	32,554,266.00
Community Environment	9,583,383.00	894,052.00	8,689,331.00
Lighting Districts	4,424,550.00	60,000.00	4,364,550.00
Fire Protection District	5,310,437.00	54,950.00	5,255,487.00
Fire Districts	2,822,266.00	-	2,822,266.00

Sanitary Sewer Districts	20,092,605.00	3,903,288.00	16,189,317.00
Storm Sewer Districts	5,703,254.00	449,066.00	5,254,188.00
Water Districts	892,884.00	313,376.00	579,508.00
Community Development	584,236.00	584,236.00	-
H.O.M.E.	1,083,520.00	1,083,520.00	-
Total Special Districts	50,497,135.00	7,342,488.00	43,154,647.00
Delinquent Water - ECWA	12,993.63	-	12,993.63
Delinquent Water – Vlg	1,622.05	-	1,622.05
Code Violations	7,063.87	-	7,063.87
Sidewalks	7,851.01	-	7,851.01
Pretreatment Surcharge	217,494.00	-	217,494.00
Omitted Tax	-	-	-
Total Special Assmts	247,024.56	-	247,024.56
Grand Totals	121,419,318.56	45,463,381.00	75,955,937.56

AURORA

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	2,870,269.00	1,521,543.00	1,348,726.00
General Town Outside	1,170,101.00	719,700.00	450,401.00
Highway Town Outside	1,156,057.00	714,550.00	441,507.00
Total Town & Highway	5,196,427.00	2,955,793.00	2,240,634.00
Cemetery Special Reserve	5,730.00	5,730.00	-
Fire Protection District	185,549.00	-	185,549.00

Lighting District	16,100.00	1,700.00	14,400.00
Garbage (Refuse) District	504,520.00	-	504,520.00
Rubbish District	22,450.00	4,000.00	18,450.00
Sewer Districts	155,221.00	150,521.00	4,700.00
Water Districts	1,430,519.00	327,325.00	1,103,194.00
Fire Districts	405,977.00	-	405,977.00
Total Special Districts	2,726,066.00	489,276.00	2,236,790.00
Unpaid Refuse Aurora	105.03	-	105.03
Delinq. Water ECWA	825.96	-	825.96
Delinq. Water Orchard Park	237.13	-	237.13
Omitted Tax	1,130.14	-	1,130.14
Total Other Items	2,298.26	-	2,298.26
GRAND TOTALS	7,924,791.26	3,445,069.00	4,479,722.26

CHEEKTOWAGA

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	42,033,808.00	9,137,238.00	32,896,570.00
General Town Outside	1,873,746.00	1,873,746.00	-
Highway Town Outside	9,923,798.00	6,902,754.00	3,021,044.00
Total Town & Highway	53,831,352.00	17,913,738.00	35,917,614.00
Consolidated Garbage	9,473,782.00	861,000.00	8,612,782.00
General Lighting	2,898,789.00	316,650.00	2,582,139.00

Risk Retention	2,203,000.00	2,203,000.00	-
Debt Service Fund	4,789,332.00	4,789,332.00	-
Sanitary Sewer	11,324,134.00	902,150.00	10,421,984.00
Lateral Sanitary Sewer	394.00	-	394.00
Storm Sewer (Drainage)	650,375.00	24,500.00	625,875.00
Hydrant Districts	472,978.00	71,154.00	401,824.00
Fire Districts	6,466,096.14	111,273.00	6,354,823.14
Premium Assmt (ECSA)	1,200.00	-	1,200.00
Special Assessments	65,872.00	-	65,872.00
Total Special Districts	38,345,952.14	9,279,059.00	29,066,893.14
Cleanup Debris	226,404.93	-	226,404.93
Total Other Items	226,404.93	-	226,404.93
GRAND TOTALS	92,403,709.07	27,192,797.00	65,210,912.07

CLARENCE

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	11,101,540.00	8,032,842.00	3,068,698.00
Highway Town Outside	4,184,601.00	1,506,497.00	2,678,104.00
Total Town & Highway	15,286,141.00	9,539,339.00	5,746,802.00
Community Development	50,000.00	50,000.00	-
Central Alarm	225,078.00	1,000.00	224,078.00
Acquatic Growth Control	3,800.00	700.00	3,100.00
Drainage District	406,080.00	5,000.00	401,080.00

Fire District 1	837,049.00	4,000.00	833,049.00
Fire Protection Districts	2,302,855.00	-	2,302,855.00
Lighting Districts	15,900.00	1,900.00	14,000.00
Sewer Districts	662,606.00	35,650.00	626,956.00
Consolidated Water	590,536.00	29,000.00	561,536.00
Special Assessments	1,881.00	-	1,881.00
Total Special Districts	5,095,785.00	127,250.00	4,968,535.00
GRAND TOTALS	20,381,926.00	9,666,589.00	10,715,337.00

ELMA

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	2,405,120.00	2,405,120.00	-
Highway Fund	1,156,637.00	917,000.00	239,637.00
Total Town & Highway	3,561,757.00	3,322,120.00	239,637.00
Water	2,059,191.00	1,997,463.00	61,728.00
Sewer Districts	190,046.00	8,600.00	181,446.00
Drainage	4,930.00	-	4,930.00
Lighting	41,050.00	3,170.00	37,880.00
Fire Protection	717,428.00	41,158.00	676,270.00
TFPD Service Award	120,000.00	-	120,000.00
Springbrook Fire	372,680.00	6,680.00	366,000.00
Refuse User Fee	307,960.00	-	307,960.00
Total Special Districts	3,813,285.00	2,057,071.00	1,756,214.00

Delinq. Water	1,285.58	-	1,285.58
Total Other Items	1,285.58	-	1,285.58
GRAND TOTALS	7,376,327.58	5,379,191.00	1,997,136.58

EVANS

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	7,370,292.00	1,143,865.00	6,226,427.00
General Town Outside	629,357.00	617,900.00	11,457.00
Highway Townwide	10,000.00	10,000.00	-
Highway Town Outside	2,210,727.00	1,759,222.00	451,505.00
Community Development	100,000.00	100,000.00	-
Risk Retention	350,000.00	350,000.00	-
Total Town & Highway	10,670,376.00	3,980,987.00	6,689,389.00
Water Districts	1,983,949.00	1,901,951.00	81,998.00
Fire Protection District	864,724.00	30,000.00	834,724.00
Lighting Districts	305,489.00	3,200.00	302,289.00
Hydrant Districts	5,100.00	250.00	4,850.00
Refuse & Garbage	986,488.00	17,000.00	969,488.00
Fire District N. Evans	668,125.00	39,500.00	628,625.00
Debt Service	553,448.00	553,448.00	-
Total Special Districts	5,367,323.00	2,545,349.00	2,821,974.00
Delinq. Water	426,757.34	-	426,757.34

Demolition Charges	23,794.50	-	23,794.50
EC Sewer Premium Assmt	700.00	-	700.00
Eden Water	1,127.54		1,127.54
Omitted Tax	-	-	-
Total Other Items	452,379.38	-	452,379.38
GRAND TOTALS	16,490,078.38	6,526,336.00	9,963,742.38

GRAND ISLAND

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	6,471,078.00	4,432,136.00	2,038,942.00
Highway Fund	2,574,148.00	421,000.00	2,153,148.00
Total Town & Highway	9,045,226.00	4,853,136.00	4,192,090.00
Debt Service	1,923,388.00	1,923,388.00	-
Fire Protection District	1,042,337.00	10,389.00	1,031,948.00
Lighting Districts	205,535.00	15,434.00	190,101.00
Water Districts	2,716,313.00	2,026,003.00	690,310.00
Sewer Districts	3,052,950.00	2,223,078.00	829,872.00
Garbage	1,393,162.00	30,178.00	1,362,984.00
Miscellaneous	1,271.00	-	1,271.00
Total Special Districts	10,334,956.00	6,228,470.00	4,106,486.00
Omitted Tax	-	-	-
Delinquent	438,404.00	-	438,404.00

Total Other Items	438,404.00	-	438,404.00
GRAND TOTALS	19,818,586.00	11,081,606.00	8,736,980.00

HAMBURG

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund Townwide	14,598,228.00	6,261,106.00	8,337,122.00
General Fund Outside Village	10,169,577.00	6,446,859.00	3,722,718.00
Highway Bridges Townwide	97,666.00	4,630.00	93,036.00
Highway Fund Outside Village	5,053,771.00	349,000.00	4,704,771.00
Total Town & Highway	29,919,242.00	13,061,595.00	16,857,647.00
Golf Enterprise Fund	573,107.00	573,107.00	-
Lighting Districts	832,654.00	72,654.00	760,000.00
Town Hydrant	313,002.00	3,002.00	310,000.00
Debt Service	2,275,633.00	2,275,633.00	-
Insurance Reserve	1,235,500.00	1,235,500.00	-
Ravenwood North Drainage	13,163.00	90.00	13,073.00
Fire Districts	3,184,145.00	66,995.00	3,117,150.00
Sewer Districts	1,033,421.00	453,700.00	579,721.00
Water Districts	934,639.00	3,508.00	931,131.00
Lake View Fire District			-
Total Special Districts	10,395,264.00	4,684,189.00	5,711,075.00
Delinquent Water ECWA	21,088.77	-	21,088.77
Delinquent Water Blasdell	7,291.67	-	7,291.67

Delinquent Water O.P.	39.59	-	39.59
Debris & Tree Removal	12,664.71	-	12,664.71
Unsafe Building Conditions	300.00	-	300.00
Total Other Items	41,384.74	-	41,384.74
Grand Totals			
	40,355,890.74	17,745,784.00	22,610,106.74

LANCASTER

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	7,895,398.00	2,387,532.00	5,507,866.00
General Town Outside	893,369.00	893,369.00	-
Police	8,147,304.00	4,313,500.00	3,833,804.00
Highway Fund Townwide	87,099.00	32,100.00	54,999.00
Highway Town Outside	3,711,948.00	1,606,600.00	2,105,348.00
Misc Special Revenue	133,000.00	133,000.00	-
Total Town & Highway	20,868,118.00	9,366,101.00	11,502,017.00
Refuse District	2,186,486.00	90,000.00	2,096,486.00
Lighting District	314,063.00	4,000.00	310,063.00
Fire Protection District	3,486,083.00	55,000.00	3,431,083.00
Water Districts	729,845.00	122,000.00	607,845.00
Total Special Districts	6,716,477.00	271,000.00	6,445,477.00
Delinq. Water ECWA	9,613.09	-	9,613.09
Out of District Sewer	444.60	-	444.60

Property Clean Up	3,422.10	-	3,422.10
Omitted Tax	-	-	-
Total Other Items	13,479.79	-	13,479.79
GRAND TOTALS	27,598,074.79	9,637,101.00	17,960,973.79

ORCHARD PARK

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	10,263,526.00	5,697,995.00	4,565,531.00
General Town Outside	535,473.00	535,473.00	-
Highway Town Outside	3,671,452.00	547,646.00	3,123,806.00
Highway Village Only	5,748.00	-	5,748.00
Total Town & Highway	14,476,199.00	6,781,114.00	7,695,085.00
Sanitary Sewer Districts	931,526.00	231,769.00	699,757.00
Water Districts	1,039,175.00	132,704.00	906,471.00
General Lighting	323,409.00	25,000.00	298,409.00
Consolidated Garbage	1,708,046.00	185,000.00	1,523,046.00
Fire District	1,706,020.00	10,520.00	1,695,500.00
Hydrant Districts	10,520.00	-	10,520.00
Debt Service	1,027,359.00	1,027,359.00	-
Total Special Districts	6,746,055.00	1,612,352.00	5,133,703.00
Delinq. Water ECWA	8,589.28	-	8,589.28
Delinq. Town Charges	350.00	-	350.00
Prorated/Delinq. Garbage	3,462.04	-	3,462.04

Omitted Tax	-	-	-
Total Other Items	12,401.32	-	12,401.32
GRAND TOTALS	21,234,655.32	8,393,466.00	12,841,189.32

TONAWANDA

YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Townwide	27,532,867.00	11,552,150.00	15,980,717.00
General Town Outside	20,290,352.00	9,867,258.00	10,423,094.00
Highway Town Outside	6,811,275.00	1,126,358.00	5,684,917.00
Total Town & Highway	54,634,494.00	22,545,766.00	32,088,728.00
Lighting Districts	1,620,000.00	220,000.00	1,400,000.00
Water Acq. & Storage	8,734,026.00	8,734,026.00	-
Fire Protection	659,650.00	25,000.00	634,650.00
Fire Districts	3,043,423.28	366,371.00	2,677,052.28
Sewer Consolidated	12,826,140.00	8,582,200.00	4,243,940.00
Drainage Consolidated	607,344.00	115,000.00	492,344.00
Refuse & Garbage Cons.	6,780,163.00	498,500.00	6,281,663.00
Total Special Districts	34,270,746.28	18,541,097.00	15,729,649.28
Cleanup Spec. Assmt.	7,592.48	-	7,592.48
Highway Paving Spec. Assmt.	150,382.06	-	150,382.06
Sewer Cons. Spec. Assmt.	10,969.29	-	10,969.29
Unpaid Water	-	-	-

Omitted Tax	2,241.31	-	2,241.31
Total Other Items	171,185.14	-	171,185.14
GRAND TOTALS	89,076,425.42	41,086,863.00	47,989,562.42

WEST SENECA

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	22,730,562.00	10,710,210.00	12,020,352.00
Highway Fund	9,555,800.00	1,911,843.00	7,643,957.00
Highway Credit			
Total Town & Highway	32,286,362.00	12,622,053.00	19,664,309.00
Sewer Districts	8,814,434.00	2,205,679.00	6,608,755.00
Water Districts	211,814.00	16,053.00	195,761.00
Special Assessment	74,502.00	-	74,502.00
Gas Lighting Districts	114,198.00	2,300.00	111,898.00
Elec Lighting Districts	98,624.00	1,900.00	96,724.00
Fire Districts	3,310,424.00	-	3,310,424.00
Premium Assessment	704.38	-	704.38
Total Special Districts	12,624,700.38	2,225,932.00	10,398,768.38
Omitted Tax	6,962.14	-	6,962.14
Delinquent Water	3,545.92	-	3,545.92
Demolition Charges	30,053.00	-	30,053.00
Emergency Enclosure	211.97	-	211.97
Grass Cutting	6,304.34	-	6,304.34

Total Other Items	40,115.23	-	40,115.23
GRAND TOTALS	44,951,177.61	14,847,985.00	30,103,192.61

Towns of the Second Class as follows:

BOSTON

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	1,660,150.00	1,474,800.00	185,350.00
Highway Fund	1,232,381.00	523,984.00	708,397.00
Total Town & Highway	2,892,531.00	1,998,784.00	893,747.00
Fire Protection District	736,000.00	16,000.00	720,000.00
Lighting District	20,000.00	-	20,000.00
Ambulance	90,000.00	25,000.00	65,000.00
Refuse & Garbage	588,000.00	19,140.00	568,860.00
Water Districts	379,636.00	-	379,636.00
Total Special Districts	1,813,636.00	60,140.00	1,753,496.00
In Lieu of Tax	6,000.00		6,000.00
Delinq. Water	1,691.62		1,691.62
Demolition Charges	13,215.00		13,215.00
Total Other Items	20,906.62	-	20,906.62
GRAND TOTALS	4,727,073.62	2,058,924.00	2,668,149.62

BRANT

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
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General Fund Townwide	743,212.00	325,670.00	417,542.00
General Fund Town Outside	205,110.00	175,025.00	30,085.00
Highway Fund Townwide	168,582.00	84,700.00	83,882.00
Highway Fund Town Outside	116,685.00	89,750.00	26,935.00
Total Town & Highway	1,233,589.00	675,145.00	558,444.00
Fire Protection District	229,303.00	2,000.00	227,303.00
Lighting District	33,000.00	50.00	32,950.00
Sewer Districts	20,200.00	20,200.00	-
Water District	39,920.00	9,800.00	30,120.00
Total Special Districts	322,423.00	32,050.00	290,373.00
Omitted Taxes			
Total Other Items	-	-	-
GRAND TOTALS	1,556,012.00	707,195.00	848,817.00

COLDEN

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	895,783.28	895,783.28	-
Highway Fund	604,992.94	93,461.00	511,531.94
Total Town & Highway	1,500,776.22	989,244.28	511,531.94
Lighting District	27,000.00	3,400.00	23,600.00
Refuse District	191,926.00	11,350.00	180,576.00
Water District	107,069.22	4,550.00	102,519.22

Colden Fire District	362,027.00	-	362,027.00
Aurora Colden Fire District	34,822.00	-	34,822.00
Total Special Districts	722,844.22	19,300.00	703,544.22
Omitted Taxes	-	-	-
Total Other Items	-	-	-
GRAND TOTALS	2,223,620.44	1,008,544.28	1,215,076.16

COLLINS

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund Townwide	1,064,101.76	664,654.00	399,447.76
General Fund Town Outside	458,772.00	458,772.00	-
Highway Fund Town Outside	937,499.75	814,750.75	122,749.00
Total Town & Highway	2,460,373.51	1,938,176.75	522,196.76
Library Fund	50,282.80	200.00	50,082.80
Collins Fire Districts	165,238.41	-	165,238.41
Fire Protection Districts	17,050.00	-	17,050.00
Lighting District	13,046.00	50.00	12,996.00
Helmuth Fire Control	34,063.80	2,050.00	32,013.80
Refuse District	70,759.54	43,100.00	27,659.54
Water Districts	386,917.17	300,098.20	86,818.97
Total Special Districts	737,357.72	345,498.20	391,859.52
Delinquent Water	14,305.82	-	14,305.82

Clean Up	1,590.00	-	1,590.00
Total Other Items	15,895.82	-	15,895.82
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GRAND TOTALS	3,213,627.05	2,283,674.95	929,952.10

CONCORD

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund Townwide	1,110,381.00	418,245.00	692,136.00
General Fund Town Outside	637,831.85	637,831.85	-
Highway Fund Townwide	10,000.00	-	10,000.00
Highway Fund Town Outside	845,818.88	725,236.88	120,582.00
Total Town & Highway	2,604,031.73	1,781,313.73	822,718.00
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Joint Projects	174,520.00	174,520.00	-
Library Fund	9,875.00	-	9,875.00
Fire Protection	479,488.00	-	479,488.00
Lighting District	52,000.24	-	52,000.24
Sewer District	115,545.60	1,500.00	114,045.60
Kissing Bridge Sewer	22,000.00	1,602.05	20,397.95
Kissing Bridge Water	7,200.06	-	7,200.06
Water District Trevett Road	17,501.84	100.00	17,401.84
Total Special Districts	878,130.74	177,722.05	700,408.69
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Omitted Taxes	1,765.72	-	1,765.72
Total Other Items	1,765.72	-	1,765.72
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GRAND TOTALS	3,483,928.19	1,959,035.78	1,524,892.41
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EDEN

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	2,154,102.00	1,488,952.00	665,150.00
Highway Fund	1,346,105.00	295,150.00	1,050,955.00
Total Town & Highway	3,500,207.00	1,784,102.00	1,716,105.00
Fire Protection District	295,262.00	10,000.00	285,262.00
Lighting District	65,056.00	2,000.00	63,056.00
Water Districts	229,842.04	1,127.54	228,714.50
Refuse & Garbage	580,000.00	34,660.00	545,340.00
Total Special Districts	1,170,160.04	47,787.54	1,122,372.50
Delinq. Water ECWA	2,235.94		2,235.94
Delinq. Water Evans	3,484.77		3,484.77
Road Improvement Chg	11,000.00		11,000.00
Delinq Refuse Chg	72.50		72.50
Total Other Items	16,793.21	-	16,793.21
GRAND TOTALS	4,687,160.25	1,831,889.54	2,855,270.71

HOLLAND

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	742,524.36	622,700.00	119,824.36
Highway Fund	888,628.29	276,160.04	612,468.25
Total Town & Highway	1,631,152.65	898,860.04	732,292.61

Water Districts	156,350.00	156,350.00	-
Lighting District	22,000.00	-	22,000.00
Cemetery	15,000.00	15,000.00	-
Refuse & Garbage	245,750.00	-	245,750.00
Holland Fire	266,084.32	4,100.00	261,984.32
Strykersville Fire	4,808.00	-	4,808.00
Total Special Districts	709,992.32	175,450.00	534,542.32
Delinq. Water	12,843.93	-	12,843.93
Agric. Penalty	268.91	-	268.91
Unpaid Refuse	25.00	-	25.00
Total Other Items	13,137.84	-	13,137.84
GRAND TOTALS	2,354,282.81	1,074,310.04	1,279,972.77

MARILLA

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	846,400.00	846,400.00	-
Highway Fund	593,300.00	505,000.00	88,300.00
Total Town & Highway	1,439,700.00	1,351,400.00	88,300.00
Sanitation	338,500.00	36,640.00	301,860.00
Fire District	314,300.00	1,200.00	313,100.00
Water Districts	434,455.00	24,875.00	409,580.00
Community Development	-	-	-

Total Special Districts	1,087,255.00	62,715.00	1,024,540.00
Unpaid Water	1,847.00	-	1,847.00
Total Other Items	1,847.00	-	1,847.00
GRAND TOTALS	2,528,802.00	1,414,115.00	1,114,687.00

NEWSTEAD

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund Townwide	1,422,475.00	750,122.00	672,353.00
General Fund Town Outside	172,906.00	172,906.00	-
Highway Fund Townwide	3,053.00	100.00	2,953.00
Highway Fund Town Outside	940,408.00	940,408.00	-
Total Town & Highway	2,538,842.00	1,863,536.00	675,306.00
Water Districts	586,769.00	97,144.00	489,625.00
Fire Protection Districts	462,261.00	5,100.00	457,161.00
Refuse & Garbage	359,992.00	21,500.00	338,492.00
Drainage District	52,107.00	450.00	51,657.00
Sewer Districts	37,600.00	37,600.00	-
Total Special Districts	1,498,729.00	161,794.00	1,336,935.00
Delinquent Water	5,567.46		5,567.46
Unpaid Refuse	522.55		522.55
Omitted Taxes			-
Total Other Items	6,090.01	-	6,090.01

GRAND TOTALS	4,043,661.01	2,025,330.00	2,018,331.01
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NORTH COLLINS

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund Townwide	806,705.00	213,120.00	593,585.00
General Fund Town Outside	150,055.00	3,931.00	146,124.00
Highway Fund Townwide	52,098.00	500.00	51,598.00
Highway Fund Town Outside	578,456.00	417,974.00	160,482.00
Total Town & Highway	1,587,314.00	635,525.00	951,789.00
Fire Protection Districts	180,264.00		180,264.00
Refuse District	173,250.00		173,250.00
Total Special Districts	353,514.00	-	353,514.00
Total Other Items	-	-	-
GRAND TOTALS	1,940,828.00	635,525.00	1,305,303.00

SARDINIA

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	1,191,300.00	1,191,300.00	-
Highway Fund	485,146.58	485,146.58	-
General Lighting	9,075.00	435.00	8,640.00
Total Town & Highway	1,685,521.58	1,676,881.58	8,640.00
Fire District	224,865.88	-	224,865.88

Street Lighting	10,050.00	574.00	9,476.00
Total Special Districts	234,915.88	574.00	234,341.88
GRAND TOTALS	1,920,437.46	1,677,455.58	242,981.88

WALES

FOR THE YEAR 2009	APPROPRIATIONS	ESTIMATED REVENUE & FB	TAX LEVY PER BUDGET
General Fund	649,613.00	619,540.00	30,073.00
Highway Fund	339,331.00	205,682.00	133,649.00
Total Town & Highway	988,944.00	825,222.00	163,722.00
Fire District	174,259.00	9,000.00	165,259.00
Lighting	8,919.00	2,200.00	6,719.00
Refuse	192,789.00	6,000.00	186,789.00
South Wales Fire	82,399.00		82,399.00
Total Special Districts	458,366.00	17,200.00	441,166.00
Omitted Tax			-
Total Other Items	-	-	-
GRAND TOTALS	1,447,310.00	842,422.00	604,888.00

Item 50 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MS. KONST seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 387

RE: Geographic Information System
Program - Appropriation of
Unanticipated Revenues
(COMM. 28E-16)

WHEREAS, the Erie County Charter stipulates that all requests for appropriation of unanticipated revenue be approved by the County Legislature.

NOW, THEREFORE, BE IT

RESOLVED, that the appropriation of unanticipated GIS revenues (Commitment item #420270 in the amount of \$17,200.00) to the following Commitment item in the Department of Environment and Planning budget is hereby approved:

Fund 110

Act	516020	Professional services/ contractual/ fees	\$	17,200
		Total	\$	17,200

and be it further

RESOLVED, that authorization is granted to reappropriate these funds into the 2009 budget; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Commissioner of the Department of Environment and Planning; the County Comptroller; and the Director of the Division of Budget and Management.

COMMUNICATIONS FROM THE DEPARTMENTS

None.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NFTA

Item 51 – (COMM. 28M-1) NFTA Board Minutes

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE LEGAL AID BUREAU OF BUFFALO, INC.

Item 52 – (COMM. 28M-2) 2007 Financial Statements, 2007 Annual Report and Annual Board of Directors' Minutes

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM GOVERNOR PATERSON

Item 53 – (COMM. 28M-3) Acknowledgement of Receipt of Certified Resolutions

Received and Filed.

FROM THE NIAGARA COUNTY LEGISLATURE

Item 54 – (COMM. 28M-4) Copy of Resolution Concerning Request for Investigation of Gasoline Price Gouging

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE LEGAL AID BUREAU OF BUFFALO, INC.

Item 55 – (COMM. 28M-5) Monthly Reports & Monthly Activity Reports for October & November, 2008

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE NYS ASSOCIATION OF COUNTIES

Item 56 – (COMM. 28M-6) Acknowledgement of Receipt of Certified Resolution

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

ANNOUNCEMENTS

Item 57 – MS. WHYTE announced that the Citizens' Budget Review Commission will hold their second meeting today (December 11, 2008) at 5:30 P.M. in the Legislative Conference Room. Ms. Whyte further announced that the Legislature's 21st Century Commission will hold a meeting on Wednesday, December 17, 2008 at 4:30 P.M. in the Legislative Conference Room.

Item 58 – MR. KOZUB announced best wishes and "God Speed" to Mr. Ranzenhofer in the New York State Senate. Mr. Kozub further expressed appreciation to the Legislature and County Executive staff for all their work during the year.

Item 59 – MR. MAZUR announced that today is his wife's birthday.

LEGISLATOR RESOLUTIONS

Item 60 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 388

RE: Encouraging Congress and the President
to Provide an Urgently Needed Bridge
Loan to the Domestic Auto Industry

(INTRO 28-1)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS MARINELLI, KOZUB & REYNOLDS**

WHEREAS, Western New York's economy is heavily reliant on the auto industry as more than 8,000 jobs in our region are dependent on auto making, supply and sales; and

WHEREAS, we are home to two major facilities – a GM Powertrain Facility in Tonawanda and Ford Stamping Plant in Woodlawn, as well as a number of auto component supply firms; and

WHEREAS, the United States Congress and President must take immediate action to prevent the imminent collapse of the Detroit-based auto industry; and

WHEREAS, unless Congress approves an industry rescue plan in the form of a bridge loan while America's Big Three Automakers – GM, Ford and Chrysler – restructure, the Center for Automotive Research projects that 3,000,000 million jobs will be lost to the U.S. economy; and

WHEREAS, these job losses, which include individuals employed at dealerships, component manufacturers and auto parts suppliers, do not reflect the tsunami impact on our economy if an additional 3,000,000 Americans are forced to join the ranks of the growing list of unemployed in our nation; and

WHEREAS, this human and economic tragedy can be averted if funds that have already been appropriated in the \$700 billion financial rescue package would be immediately directed to GM, Ford and Chrysler so they can continue operations, restructure and avoid liquidation; and

WHEREAS, the UAW has already made substantial concessions in its labor contracts of both 2005 and 2007, and the autoworkers are willing to make additional sacrifices to keep the auto industry alive in this country; and

WHEREAS, the national economic downturn is no fault of our domestic auto industry or its dedicated workers who manufacture a product that has been the source of American pride for decades; and

WHEREAS, any suggestion that American jobs are dispensable as part of the restructuring of the domestic auto industry is without merit.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature implore Congress and the President to take immediate action to prevent the collapse of the domestic auto industry; and be it further

RESOLVED, that this action include a bridge loan to the "Big 3" U.S. automakers – GM, Ford and Chrysler – so that they may continue operations, restructure, survive the national recession and thrive in the 21st Century.

MS. WHYTE moved to amend the resolution for content and by adding MR. KENNEDY, MS. MILLER-WILLIAMS, MS. WHYTE, MS. GRANT, MR. MAZUR MR. WROBLEWSKI & MR. LOUGHRAN as Co-Sponsors. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

Delete the Resolution in its Entirety and Replace with the Following:

**A RESOLUTION TO BE SUBMITTED BY LEGISLATORS
MARINELLI, KOZUB, IANNELLO & REYNOLDS**

WHEREAS, Western New York's economy is heavily reliant on the auto industry as more than 8,000 jobs in our region are dependent on auto making, supply and sales; and

WHEREAS, we are home to two major facilities – a GM Powertrain Facility in Tonawanda and Ford Stamping Plant in Woodlawn, as well as a number of auto component supply firms; and

WHEREAS, the United States Congress and President have been working on a strategy to prevent the imminent collapse of the Detroit-based auto industry; and

WHEREAS, unless such an industry rescue plan in the form of a bridge loan is approved while America's Big Three Automakers – GM, Ford and Chrysler – restructure, the Center for Automotive Research projects that 3,000,000 million jobs will be lost to the U.S. economy; and

WHEREAS, these job losses, which include individuals employed at dealerships, component manufacturers and auto parts suppliers, do not reflect the tsunami impact on our economy if an additional 3,000,000 Americans are forced to join the ranks of the growing list of unemployed in our nation; and

WHEREAS, this human and economic tragedy can be averted if funds that have already been appropriated in the \$700 billion financial rescue package would be immediately directed to GM, Ford and Chrysler so they can continue operations, restructure and avoid liquidation; and

WHEREAS, the UAW has already made substantial concessions in its labor contracts of both 2005 and 2007, and the autoworkers are willing to make additional sacrifices to keep the auto industry alive in this country; and

WHEREAS, the national economic downturn is no fault of our domestic auto industry or its dedicated workers who manufacture a product that has been the source of American pride for decades; and

WHEREAS, any suggestion that American jobs are dispensable as part of the restructuring of the domestic auto industry is without merit; and

WHEREAS, on December 10, 2008, the U.S. House of Representatives approved a bridge loan to the domestic auto industry and a vote in the U.S. Senate is anticipated shortly.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature implore the U.S. Senate to join the U.S. House of Representatives in taking immediate action to prevent the collapse of the domestic auto industry; and be it further

RESOLVED, that this action include a bridge loan to the "Big 3" U.S. automakers – GM, Ford and Chrysler – so that they may continue operations, restructure, survive the national recession and thrive in the 21st Century; and be it further

RESOLVED, that certified copies of this resolution be conveyed to President George W. Bush, U.S. Senator Charles Schumer, U.S. Senator Hillary Clinton, the Western New York Delegation to the U.S. House of Representatives, the plant managers of GM Powertrain and Ford Stamping Plant, the Presidents of UAW Local 774 and Local 897, Tim Klipfel of UAW Local 774, and Kevin Donovan, Director, UAW Region.

MS. WHYTE moved for approval of the resolution as amended. MR. REYNOLDS seconded.

CARRIED UNANIMOUSLY.

***MS. WHYTE moved that the Legislature enter into Executive Session at 4:30 P.M. MR. REYNOLDS seconded.

CARRIED UNANIMOUSLY.

***CHAIR MARINELLI declared the Legislature reconvened at 6:56 P.M.

***MS. WHYTE moved that the Legislature adjourn Executive Session. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

Item 61 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. KENNEDY seconded. MR. RANZENHOFER voted in the negative.

CARRIED. (14-1)

RESOLUTION NO. 389

RE: Legal and Fiscal Matters Related to the
2009 Erie County Budget as Adopted by
the Erie County Legislature
(INTRO 28-2)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS MARINELLI, WHYTE & KONST**

MS. WHYTE moved to amend the resolution. MS. GRANT seconded. MR. MILLS, MR. RANZENHOFER & MR. RATH voted in the negative.

CARRIED. (12-3)

Insert the Following Resolution:

WHEREAS, the Erie County Legislature has approved the 2009 Budget for Erie County as required by the Erie County Charter; and

WHEREAS, the Erie County Legislature has established the levy for 2009 for Erie County as required by Section 2609 of the Erie County Charter; and

WHEREAS, the County Executive has publically stated that it is his intention to ignore the actions taken by the Erie County Legislature with respect to the 2009 Budget and the establishing of the levy as required based upon the formula contained in Section 2609 of the Charter; and

WHEREAS, the County Executive's stated intentions will result in the residents of Erie County receiving tax notices in January, 2009 in excess of the levy established by the Erie County Legislature as a result of the 2009 Adopted Budget; and

WHEREAS, the County Executive is required to follow the Erie County Charter and not indiscriminately impose a tax increase upon Erie County residents as a part of the 2009 Adopted Budget; and

WHEREAS, the Erie County Legislature is determined to take whatever actions necessary to protect the residents and taxpayers of Erie County from an unnecessary and illegal property tax increase.

NOW, THEREFORE, IT BE

RESOLVED, that the Erie County Legislature is hereby authorized to take any and all legal action required to effectuate the 2009 Erie County Budget and the provisions contained therein which was adopted by the Erie County Legislature on December 9, 2008; and be it further

RESOLVED, that the Chair of the Erie County Legislature is hereby authorized to enter into a contract(s) for legal services in accordance with this resolution.

MS. WHYTE moved for approval of the resolution as amended. MR. KENNEDY seconded. MR. MILLS, MR. RANZENHOFER & MR. RATH voted in the negative.

CARRIED. (12-3)

Item 62 – MS. WHYTE moved to reconsider COMM. 28E-15 (2009 Town Budgets & Special District Budgets). MR. REYNOLDS seconded. MR. RANZENHOFER voted in the negative.

CARRIED. (14-1)

CHAIR MARINELLI directed that COMM. 28E-15 be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 63 – MS. WHYTE moved to discharge the HEALTH & HUMAN SERVICES COMMITTEE of further consideration of COMM. 23E-4 (2008). MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 390

RE: Charles H. Mack, Inc. for Q Software Upgrade
(COMM. 23E-4)

WHEREAS, the Department of Social Services is required to maintain records related to the administration of the Community Alternative Systems Agency (CASA) program; and

WHEREAS, these records are maintained in Q Software and are critical to the Department's day to day operations; and

WHEREAS, Charles H. Mack, Inc. designed and developed Q Software and is the sole source of needed upgrades; and

WHEREAS, there is no fiscal impact to this resolution as \$37,958 in unassigned and 100% reimbursed funds for this purpose exist in account 516030 in the 2008 Adopted Budget are being earmarked to Charles H. Mack, Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and/or the Commissioner of Social Services are hereby authorized to execute necessary contracts with Charles H. Mack, Inc. to upgrade Q software; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of Social Services, the Director of Purchasing, the Erie County Comptroller and the Director of the Division of Budget and Management.

MS. WHYTE moved to approve the item. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

None.

MEMORIAL RESOLUTIONS

Item 64 – Legislator Miller-Williams requested that when the Legislature adjourns, it do so in memory of Lillie J. (Thompson) Stewart, mother of Citizens’ Budget Review Commission member Joyce Stewart.

Item 65 – Legislator Iannello requested that when the Legislature adjourns, it do so in memory of Charles F. VanVolkenburg.

Item 66 – Legislator Ranzenhofer requested that when the Legislature adjourns, it do so in memory of Roger J. Hoffman, and in memory of his father, Theodore Ranzenhofer.

Item 67 – Legislator Kozub requested that when the Legislature adjourns, it do so in memory of all his constituents who have died in 2008.

ADJOURNMENT

Item 68 - At this time, there being no further business to transact, CHAIR MARINELLI announced that the Chair would entertain a Motion to Adjourn.

MS. WHYTE moved that the Legislature adjourn until Thursday, January 8, 2009 at 2:00 p.m. Eastern Standard Time. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

CHAIR MARINELLI declared the Legislature adjourned until Thursday, January 8, 2009 at 2:00 p.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE