

MAY 18, 2006

GOVERNMENT AFFAIRS COMMITTEE
REPORT NO. 8

ALL MEMBERS PRESENT.

1. INTRO 9-10 (2006)

MARINELLI, WHYTE, KOZUB, HOLT, IANNELLO, REYNOLDS & KONST

WHEREAS, since 1985 Erie County has added a penny to the sales tax and has relied on revenues generated from the sales tax to provide services to its citizens, balance its budget and keep its property tax rate well below the State average; and

WHEREAS, the added penny of sales tax requires approval from New York State and this approval has been given for more than two decades; and

WHEREAS, in preparing the 2006 budget Erie County contacted New York State and was assured that the continuation of the added penny of sales tax would be approved and Erie County's 2006 budget was predicated on receiving approximately \$126 million from the continuation of the added penny; and

WHEREAS, well after the adoption and enactment of the 2006 budget the Erie County Legislature requested a bill from the New York State Assembly for the continuation of the additional penny in sales tax; and

WHEREAS, the Western New York Delegation of the New York State Assembly consisting of Assembly Majority Leader Tokasz, Assemblyman Sam Hoyt, Assemblywoman Crystal Peoples and Assemblyman Mark Schroeder, informed the Erie County Legislature that it would not allow the continuation of the additional penny in sales tax unless the County agreed to give \$12.5 million in revenue to towns and cities in Erie County; and

WHEREAS, the Erie County Legislature informed the Assembly Delegation that the County was committed to a 4-Year Fiscal Recovery Plan after the budget crisis of 2005 and that giving away \$12.5 million would place the County in perilous fiscal straits; and

WHEREAS, after strenuous and lengthy negotiations between representatives of the Erie County Legislature and New York State Assembly, Assembly Majority Paul Tokasz guaranteed the Erie County Legislature that New York State would provide Erie County with an additional \$12.5 million in aid for operating purposes from New York State to offset the negative impact of sales tax sharing; and

WHEREAS, during the third session of 2006, the Erie County Legislature passed a continuation of the eighth percent sales tax with the provision that a percentage of it, roughly \$12.5 Million worth, would be shared with local municipalities starting in 2007; and

WHEREAS, this honorable body, through resolutions forwarded to the Assembly delegation to the State Legislature and the County Executive, in a letter sent to Majority Leader Paul Tokasz and State Senator Dale Volker, identified several areas where additional assistance was requested, including:

- Increased Aid For Regional Cultural Institutions
- Increased Highway Funding
- Containment Of Medicaid Costs
- Allowing Erie County To Retain The Portion Of The Sales Tax That Goes To The Niagara Frontier Transportation Authority; and

WHEREAS, the New York State Budget was recently approved by the New York State Legislature and the \$12.5 million in operating expenses to Erie County is not readily apparent.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby calls upon NYS Assembly Majority Leader to identify what money within the New York State Budget is designated to cover the \$12.5 million Erie County agreed to share with local municipalities at his request; and be it further

RESOLVED, the Erie County Legislature remains committed to working with all branches of NYS government to identify additional funding and cost savings for 2006 and thereafter; and be it further

RESOLVED, certified copies of this resolution be forwarded to the Erie County Executive, the Erie County delegation to the NYS Legislature and the Erie County Fiscal Stability Authority.
(4-0)

2. COMM. 9E-19 (2006)

COUNTY EXECUTIVE

WHEREAS, at the time of the 2005 budget cuts, extreme cuts were made to the Division of Buildings and Grounds, and

WHEREAS, many of those cuts involved supervisory personnel, and

WHEREAS, in order to restore some necessary oversight roles, but to keep costs down, new Part-time (PT) and Regular Part-time (RPT) positions were created in the 2006 budget, and

WHEREAS, it has now been brought to the attention of the Division that the creation of a Senior Chief Stationary Engineer (PT) is not recognized by the CSEA and it is expected that CSEA will file an Improper Practice Charge against the County and the PERB would rule that the work had been improperly removed from the bargaining unit, and

WHEREAS, to satisfy the CSEA requirements and still keep costs down, the position can be reclassified as an RPT position,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorizes changing the title of Senior Chief Stationary Engineer (PT), (J.G. 11, Step 1) to Senior Chief Stationary Engineer (RPT), (J.G. 11, step 5) as shown on B-100 1986, and be it further,

RESOLVED, that two certified copies of this resolution be forwarded to the Commissioner of Public Works, and one copy each to the Office of the County Executive, the Commissioner of Personnel, the Director of Budget, Management & Finance, and the Office of the Comptroller.
(4-0)

GEORGE A. HOLT
CHAIRPERSON