

June 27, 2002

FINANCE & MANAGEMENT
COMMITTEE
REPORT NO. 10

ALL MEMBERS PRESENT.

1. RESOLVED, that the following item is hereby received and filed.

Item Page -2002 (Comm. 13D-1)
a. **BUDGET, MANAGEMENT & FINANCE:** Budget Monitoring Report for Period Ending
4/30/02.
(5-0)

2. Item Page -2001 **AS AMENDED**
(Comm. 1D-9A)
BUDGET, MANAGEMENT & FINANCE

(A)

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

EMAIL DOCUMENT IS 202842.DOC

WHEREAS, the Director has investigated the validity of such applications (see attached listing) now therefore be it ,

RESOLVED, that petitions numbered 202843 through 202843 inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and / or Cities.

Petition No. 202843 / 1999 - ASSESSOR - Refund - \$30.00

SBL No. 46.00-2-2.1 & 2 OTHERS - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 30.00 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD 30.00

REFUND - CLERICAL ERROR, THIS PARCEL IS EXEMPT FROM SPECIAL ASSESSMENT - WATER DSIDISTRICT #5. THIS PARCEL IS IN AN AGRICULTURAL DISTRICT AND IS USED FOR CROP PRODUCTION. RPTL 550(2)E

CHECK IN FAVOR OF: RONALD & JUDY DAWYDKO

THE DIRECTOR OF REAL PROPERTY TAX SERVICES IS REQUESTING THAT THIS PETITION IS DENIED. APPLICATION ACCORDING TO NEW YORK STATE REAL PROPERTY TAX LAW STATES THIS APPLICATION HAD TO BE RECEIVED BY February 14, 2002 BEFORE THE THE DATE THE WARRANT IS ANNEXED FEBRUARY 15, 2002. APPLICATION WAS RECEIVED ON JUNE 25, 2002.

(4-1) Legislator Ranzenhofer in the negative.

(B)

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

EMAIL DOCUMENT IS 202841.DOC

WHEREAS, the Director has investigated the validity of such applications (see attached listing) now therefore be it ,

RESOLVED, that petitions numbered 202814 through 202841 inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and / or Cities.

Petition No. 202814 / 9900 - ASSESSOR - Refund - \$180.22

SBL No. 42.16-1-44 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 180.22 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 180.22

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 7,200 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C WILLIAMSVILLE CENTRAL
CHECK IN FAVOR OF: JULIE & STEVAN VANVLIET

Petition No. 202815 / 1 - ASSESSOR - Refund - \$370.36

SBL No. 42.16-1-44 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 370.36 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 370.36

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 20,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
CHECK IN FAVOR OF: STEVAN & JULIE VANVLEIT

Petition No. 202816 / 102 - ASSESSOR - Refund - \$563.09

SBL No. 42.16-1-44 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 563.09 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 563.09

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
30,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE
TAX ROLL. RPTL 550(2)C WILLIAMSVILLE CENTRAL
CHECK IN FAVOR OF: JULIE &N STEVAN VAN VLIET

Petition No. 202817 / 102 - ASSESSOR - Refund - \$563.09

SBL No. 55.12-4-12 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 563.09 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 563.09

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
30,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE
TAX ROLL. RPTL 550(2)C WILLIAMSVILLE CENTRAL
CHECK IN FAVOR OF: PAUL & ANNETTE CANNON

Petition No. 202818 / 102 - ASSESSOR - Refund - \$563.10

SBL No. 56.63-1-1./20M8 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 563.10 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 563.10

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
30,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE
TAX ROLL. RPTL 550(2)C WILLIAMSVILLE CENTRAL
CHECK IN FAVOR OF: BLANCHE & EUGENE STEMPE

Petition No. 202819 / 9900 - ASSESSOR - Refund - \$180.21

SBL No. 68.10-7-34 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 180.21 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 180.21

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
7,200 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE
TAX ROLL. RPTL 550(2)C WILLIAMSVILLE CENTRAL
CHECK IN FAVOR OF: LENA GALLETTI

Petition No. 202820 / 1 - ASSESSOR - Refund - \$370.37

SBL No. 68.10-7-34 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 370.37 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 370.37

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
20,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM
THE TAX ROLL. RPTL 550(2)C WILLIAMSVILLE CENTRAL
CHECK IN FAVOR: LENA GALLETTI

Petition No. 202821 / 102 - ASSESSOR - Refund - \$563.09

SBL No. 68.10-7-34 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 563.09 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 563.09

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
30,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE
TAX ROLL. RPTL 550(2)C WILLIAMSVILLE CENTRAL
CHECK IN FAVOR OF: LENA GALLETTI

Petition No. 202822 / 203 - ASSESSOR - Cancel - \$83.69

SBL No. 69.13-3-35 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 83.69 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 13.52
VILLAGE OF WILLIAMSVILLE 70.17

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY
ON THE TAX ROLL. THE ASSESSMENT WAS 105,600 AND SHOULD BE 86,000.
RPTL 550(2)A

Petition No. 202823 / 203 - ASSESSOR - Cancel - \$114.32

SBL No. 80.08-6-33 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 114.32 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST
 16.77
 VILLAGE OF WILLIAMSVILLE
 97.55

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY
 ON THE TAX ROLL. THE ASSESSMENT WAS 124,300 AND SHOULD BE 100,000.
 RPTL 550(2)A

Petition No. 202824 / 2002 - ASSESSOR - Refund - \$307.74

SBL No. 81.06-3-35 - TOWN OF AMHERST

Acct. No. 112 - \$ 145.41 - County

Acct. No. 132 - \$ 162.33 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST
 162.33

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF
 30,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM
 THE TAX ROLL. RPTL 550(2)C
 CHECK IN FAVOR OF: GERTRUDE MERCER

Petition No. 202825 / 102 - ASSESSOR - Refund - \$563.09

SBL No. 70.06-5-21 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 563.09 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 563.09

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
 30,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE
 TAX ROLL. RPTL 550(2)C WILLIAMSVILLE CENTRAL
 CHECK IN FAVOR OF: TAN DONGFENG & ZOU HONG

Petition No. 202826 / 2002 - ASSESSOR - Refund - \$2,230.23

SBL No. 182.12-2-11.112 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 2,230.23 - Town/SpecialDist/School

Charge to : WOODLAWN FIRE PROTECT 2,230.23

REFUND - UNLAWFUL ENTRY, PARCEL IS LOCATED ENTIRELY OUTSIDE THE
 WOODLAWN FIRE DISTRICT. RPTL 550(7)B
 CHECK IN FAVOR OF: ROSEANN CELLINO

Petition No. 202827 / 203 - ASSESSOR - Cancel - \$33.36

SBL No. 196.09-5-36 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 33.36 - Town/SpecialDist/School

Charge to : VILLAGE OF HAMBURG

33.36

CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY THE STATE OF NEW YORK AND IS WHOLLY EXEMPT FROM TAXES. PARCEL WAS ACQUIRED ON DECEMBER 18, 2001. RPTL 550(7)A

Petition No. 202828 / 102 - ASSESSOR - Refund - \$628.21

SBL No. 79.22-8-23 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 628.21 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION

628.21

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 21,130 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C KEN-TON SCHOOL DISTRICT
CHECK IN FAVOR OF: DAVID & LISA NELSON

Petition No. 202829 / 203 - ASSESSOR - Cancel - \$272.44

SBL No. 164.16-1-39 - TOWN OF AURORA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 272.44 - Town/SpecialDist/School

Charge to : VILLAGE OF EAST AURORA

272.44

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION WAS MISCALCULATED. THE EXEMPTION RECEIVED WAS 5,500 AND SHOULD BE 24,460. RPTL 550(2)B

Petition No. 202830 / 2001 - ASSESSOR - Refund - \$349.72

SBL No. 165.17-6-31 - TOWN OF AURORA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 349.72 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI

349.72

REFUND - CLERICAL ERROR, THE STAR EXEMPTION IN THE AMOUNT OF
9,972 WAS MISCALCULATED AND SHOULD BE 21,998. RPTL 550(2)B
CHECK IN FAVOR OF: JORIS & BARBARA BOOI
EAST AURORA UNION FREE

Petition No. 202831 / 102 - ASSESSOR - Refund - \$349.72

SBL No. 186.00-1-30 - TOWN OF AURORA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 349.72 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 349.72

REFUND - CLERICAL ERROR, THE STAR EXEMPTION IN THE AMOUNT OF 9,972
WAS MISCALCULATED. THE CORRECT AMOUNT OF THE EXEMPTION IS 21,998.
RPTL 550(2)B EAST AURORA UNION FREE SCHOOL DIST
CHECK IN FAVOR OF: JORIS & BARBARA BOOI

Petition No. 202832 / 102 - ASSESSOR - Refund - \$366.76

SBL No. 186.00-1-30 - TOWN OF AURORA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 366.76 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 366.76

REFUND - CLERICAL ERROR, THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF
16,718 WAS MISCALCULATED. THE CORRECT AMOUNT SHOULD BE 29,330.
RPTL 550(2)B EAST AURORA UNION FREE SCHOOL DISTRICT
CHECK IN FAVOR OF: CHARLES D & PHYLLIS CACCAMISE

Petition No. 202833 / 2002 - ASSESSOR - Refund - \$2,230.23

SBL No. 182.12-2-11.112 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 2,230.23 - Town/SpecialDist/School

Charge to : WOODLAWN FIRE PROTECT 2,230.23

REFUND - UNLAWFUL ENTRY, PARCEL IS BEING CHARGED FOR THE WOODLAWN
FIRE DISTRICT. THIS PARCEL IS LOCATED ENTIRELY OUTSIDE THE WOODLAWN
FIRE DISTRICT. RPTL 550(7)A
CHECK IN FAVOR OF: ROSEANN CELLINO

Petition No. 202834 / 2002 - ASSESSOR - Cancel - \$1,097.23

SBL No. 141.43-2-26 & 17 OTHERS - CITY OF LACKAWANNA

Acct. No. 112 - \$ 1,097.23 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, PARCELS ARE OWNED BY THE CITY OF LACKAWANNA
AND ARE EXEMPT FROM COUNTY OF ERIE TAXS. RPTL 550(2)C

Petition No. 202835 / 2002 - ASSESSOR - Refund - \$100.00

SBL No. 46.00-2-2.1 & 3 OTHERS - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 100.00 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD

100.00

REFUND - CLERICAL ERROR, THIS PROPERTY IS EXEMPT FROM SPECIAL DISTRICT
ASSESSMENTS BECAUSE IT IS IN AN AGRICULTURAL DISTRICT AND THE LAND
IS USED FOR CROP PRODUCTION. RPTL 550(2)E
CHECK IN FAVOR OF: RONALD & JUDY DAWYDKO

Petition No. 202836 / 2001 - ASSESSOR - Refund - \$75.00

SBL No. 46.00-1-2-2.1 & 2 OTHERS - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 75.00 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD

75.00

REFUND - CLERICAL ERROR, PARCELS ARE EXEMPT FROM CERTAIN SPECIAL
ASSESSMENTS. THESE PARCELS ARE IN AGRICULTURAL DISTRICTS AND ARE
USED FOR CROP PRODUCTION. RPTL 550(2)E
CHECK IN FAVOR OF: RONALD & JUDY DAWYDKO

Petition No. 202837 / 2002 - ASSESSOR - Cancel - \$109.79

SBL No. 47.07-2-16.11/BA - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 82.50 - County

Acct. No. 132 - \$ 27.29 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD

27.29

CANCEL - CLERICAL ERROR, THIS PARCEL IS A DUPLICATE PARCEL. PARCEL IS
ALSO BEING TAXED UNDER SBL 47.07-2-16.11/D9 RPTL 550(2)F

Petition No. 202838 / 203 - ASSESSOR - Cancel - \$81.33

SBL No. 47.07-2-16.11/BA - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 81.33 - Town/SpecialDist/School

Charge to : VILLAGE OF AKRON

81.33

CANCEL - CLERICAL ERROR, THIS PARCEL IS A DUPLICATE PARCEL. THIS PARCEL IS ALSO BEING TAXED UNDER SBL 47.07-2-16.11/D9. RPTL 550(2)F

Petition No. 202839 / 2002 - ASSESSOR - Cancel - \$40.46

SBL No. 47.07-2-16.11/R - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 25.27 - County

Acct. No. 132 - \$ 15.19 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD

15.19

CANCEL - CLERICAL ERROR, THIS PARCEL IS A DUPLICATE PARCEL. THIS PARCEL IS ALSO BEING TAXED UNDER SBL 47.07-2-16.11W15. RPTL 550(2)F

Petition No. 202840 / 203 - ASSESSOR - Refund - \$45.29

SBL No. 47.07-2-16.11/R - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 45.29 - Town/SpecialDist/School

Charge to : VILLAGE OF AKRON

45.29

CANCEL - CLERICAL ERROR, THIS PARCEL IS A DUPLICATE PARCEL. PARCEL IS ALSO BEING TAXED UNDER SBL 47.07-2-16.11/W15. RPTL 550(2)F

Petition No. 202841 / 203 - ASSESSOR - Cancel - \$392.65

SBL No. 336.14-1-2.2 - TOWN OF CONCORD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 392.65 - Town/SpecialDist/School

Charge to : VILLAGE OF SPRINGVILLE

392.65

CANCEL - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO A SENIOR

EXEMPTION IN THE AMOUNT OF 32,450 (50%) THAT WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 202842 / 2002 - ASSESSOR - Cancel - \$ 290.40

SBL No. 151.46-4-6.1 - Village of Blasdell

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 290.40 - Town/Specialdist/School

Charge to: Village of Blasdell

CANCEL - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO A SENIOR EXEMPTION IN THE AMOUNT OF 24,000 (50%) THAT WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

(5-0)

3. Item Page -2002 (Comm. 13E-6)

COMPTROLLER

RESOLUTION NO. ___-2002

BOND RESOLUTION DATED _____, 2002

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING VARIOUS IMPROVEMENTS TO THE CENTRAL LIBRARY TO IMPLEMENT ENERGY SAVING FACILITY IMPROVEMENT MEASURES, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,025,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,025,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF.

(Introduced) JUNE 14, 2002

(Adopted) _____, 2002

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to construct various improvements to the Central Library to implement Energy Saving Facility Improvement Measures, including but not limited to (i) retrofitting of lighting, (ii)

installation of variable speed drives on hot water pumps and cooling tower fan, (iii) replacement of supply and return fan motors with high efficiency motors, (iv) conversion of constant air volume systems to variable air volume systems and (v) upgrading of the Library's energy management system. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$1,025,000, and said amount is hereby appropriated therefor. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 2002 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$1,025,000 bonds of the County to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the County in the principal amount of \$1,025,000 are hereby authorized to be issued for the class of objects or purposes described in Section 1 hereof, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The period of probable usefulness of the class of objects or purposes for which said \$1,025,000 bonds herein authorized are to be issued, pursuant to Section 11.00 a. 13 of the Law, is ten (10) years.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Bond Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of said Local Finance Law,

and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, and relative to prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the

date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the

County Executive
(5-0)

4. Item Page -2002 **AS AMENDED**
COMPTROLLER (Comm. 13E-7)

RESOLUTION NO. _____-2002

BOND RESOLUTION DATED _____, 2002

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE REPLACEMENT OF THE EXISTING CULVERT ON DICK ROAD IN THE TOWN OF CHEEKTOWAGA, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$302,500, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$302,500 BONDS OF THE COUNTY TO PAY THE COST THEREOF.

(Introduced) June 27, 2002

(Adopted) _____, 2002

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to replace the existing culvert on Dick Road in the Town of Cheektowaga. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$302,500, and said amount is hereby appropriated therefor pursuant to the duly adopted Capital Budget of said County for fiscal year 2001. To the extent that the details set forth in this resolution are inconsistent with any details set

forth in the 2001 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$302,500 bonds of the County to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the County in the principal amount of \$302,500 are hereby authorized to be issued for the specific object or purpose described in Section 1 hereof, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) years.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Bond Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of said Local Finance Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, and relative to prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any

notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the

County Executive.
(5-0)

5. Item Page -2002 **AS AMENDED**
COMPTROLLER
RESOLUTION NO. ___-2002
(Comm. 13E-8)

BOND RESOLUTION DATED _____, 2002

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE
COMO LAKE PARK LAKE RECONSTRUCTION, STATING THE ESTIMATED MAXIMUM
COST THEREOF IS \$500,000, APPROPRIATING SAID AMOUNT THEREFOR, AND
AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE COUNTY TO PAY THE
COST THEREOF.

(Introduced) June 27, 2002

(Adopted) _____, 2002

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE,
NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said
Legislature), AS FOLLOWS:

Section 1. The County of Erie, New York (herein called "County"), is hereby
authorized to partially reconstruct the retaining walls located downstream of, and to dredge the
Como Lake Park lake. The estimated maximum cost of said specific object or purpose, including
preliminary costs and costs incidental thereto and to the financing thereof, is \$500,000, and said
amount is hereby appropriated therefor pursuant to the duly adopted Capital Budget of said County
for fiscal year 2002. To the extent that the details set forth in this resolution are inconsistent with
any details set forth in the 2002 Capital Budget of the County, such Budget shall be deemed and is
hereby amended. The plan of financing includes the issuance of \$500,000 bonds of the County to
finance said appropriation, and the levy and collection of taxes on all the taxable real property in

the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the County in the principal amount of \$500,000 are hereby authorized to be issued for the specific object or purpose described in Section 1 hereof, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 22 of the Law, is thirty (30) years.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Bond Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of said Local Finance Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, and relative to prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.
(5-0)

COMPTROLLER

RESOLUTION NO. _____ OF 2002

BOND RESOLUTION DATED _____, 2002

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE PARTIAL RECONSTRUCTION OF AND CONSTRUCTION OF AN ADDITION AND IMPROVEMENTS TO THE FIRE TRAINING ACADEMY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$1,350,000, APPROPRIATING \$800,000 THEREFOR IN ADDITION TO \$550,000 PREVIOUSLY APPROPRIATED THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$800,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF, IN ADDITION TO \$550,000 BONDS PREVIOUSLY AUTHORIZED THEREFOR.

(Introduced) June 27, 2002

(Adopted) _____, 2002

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Erie, New York (herein called "County") is hereby authorized to continue existing capital project for the Fire Academy, consisting of the partial reconstruction and construction of an addition and improvements to the Fire Training Academy at 3359 Broadway in Cheektowaga, including an approximate 4,700 square foot addition, the installation of stadium seating and an additional classroom; the foregoing to include the original equipment, machinery, furnishings, apparatus, and all ancillary and related site and other work required in connection therewith. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$1,350,000, and \$800,000 is hereby appropriated therefor, in addition to the \$550,000 previously appropriated

therefor. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 2002 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$800,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, in addition to the \$550,000 bonds previously authorized therefor pursuant to Resolution No. 517-2001 adopted on November 8, 2001, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. Bonds of the County in the principal amount of \$800,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The building to be improved is, and the addition to be constructed thereto will be, of at least Class "B" construction as defined by Section 11.00 a. 11. (b) of the Law. Consequently, the period of probable usefulness applicable to the purpose for which the serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a.12 (a)(2) of the Law, is fifteen (15) years.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of said Local Finance Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond

anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, and relative to prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.
(5-0)

7. Item Page -2002 (Comm. 13E-15)
COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive requests from more than one of adjacent property owners or non adjacent owners to purchase parcels of County owned inventory, and

WHEREAS, the parcels were reviewed and approved for sale by the Advisory Review Committee of Erie County, and

WHEREAS, the Erie County Legislature approved them to be put to sale in a resolution adopted at the 10th Session of the Legislature held on May 9, 2002, (Reference: COMM. 9E-45), and

WHEREAS, in addition to the advertisement of the sale in the Buffalo Law Journal and the Buffalo News, all adjacent owners were sent a letter indicating the date, time and place of the sale in order to give all interested parties the opportunity to attend the sale and bid;

NOW, THEREFORE, BE IT RESOLVED, that the Erie County Legislature is requested to approve the sale of these parcels to the following persons who successfully bid on them at the sale on June 4, 2002.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Grand Island, County of Erie and State of New York being part of Farmlot 85, Township 12, Range 9, Block N, Sublots 238 and 239 as filed under Map Cover 1033 and is further described on Erie County Tax Maps as Section, Block and Lot No. 23.180-2-5 (Second Street 100.00 x 125.00). Intending to convey all land acquired by Erie County as Serial No. 1343 in the County In Rem Tax Foreclosure Action No. 144 to Nancy Bognar, 250 Dunlop Avenue, Tonawanda, New York 14150 for the sum of Two Thousand Two Hundred and 00/100 Dollars (\$ 2,200.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Hamburg, County of Erie and State of New York being part of Farmlot 16, Township 9, Range 8, Sublot 464 as filed under Map Cover 416 and is further described on Erie County Tax Maps as Section, Block and Lot No. 159.670-2-33 (Woodlawn Avenue 30.00 x 110.00). Intending to convey all land acquired by

Erie County as Serial No. 571 in the County In Rem Tax Foreclosure Action No. 137 to Ann and Dennis Coulter, S 4100 Willowdale Avenue, Blasdell, New York for the sum of Four Hundred and 00/100 Dollars (\$ 400.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 117, Township 10, Range 7, Block E, Sublot 27 as filed under Map Cover 1322 and is further described on Erie County Tax Maps as Section, Block and Lot No. 134.740-2-28 (Milton Avenue 25.00 x 90.00). Intending to convey all land acquired by Erie County as Serial No. 1449 in the County In Rem Tax Foreclosure Action No. 146 to Bernice and Joseph Kleinfelder, 76 Florence Avenue, West Seneca, New York 14224 for the sum of One Thousand One Hundred and 00/100 Dollars (\$1,100.00).

ALL THAT TRACT OF PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 117, Township 10, Range 7, Block E, Sublot 28 as filed under Map Cover 1322 and is further described on Erie County Tax Maps as Section, Block and Lot No. 134.740-2-29 (Milton Avenue 25.00 x 90.00). Intending to convey all land acquired by Erie County as Serial No. 1450 in the County In Rem Tax Foreclosure Action No. 146 to Bernice and Joseph Kleinfelder, 76 Florence Avenue, West Seneca, New York 14224 for the sum of One Thousand One Hundred and 00/100 Dollars (\$1,100.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 117, Township 10, Range 7, Block E, Sublot 29 as filed under Map Cover 1322 and is further described on Erie County Tax Maps as Section, Block and Lot No. 134.740-2-30 (Milton Avenue 25.00 x 90.00). Intending to convey all land acquired by Erie County as Serial No. 315 in the County In Rem Tax Foreclosure Action No. 134 to Bernice and Joseph Kleinfelder, 76 Florence Avenue, West Seneca, New York 14224 for the sum of One Thousand One Hundred and 00/100 Dollars (\$1,100.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 117, Township 10, Range 7, Block E, Sublot 30 as filed under Map Cover 1322 and is further described on Erie County Tax Maps as Section, Block, and Lot No. 134.740-2-31 (Milton Avenue 25.00 x 90.00). Intending to convey all land acquired by Erie County as Serial No. 316 in the County In Rem Tax Foreclosure Action No. 134 to Bernice and Joseph Kleinfelder, 76 Florence Avenue, West Seneca, New York 14224 for the sum of One Thousand One Hundred and 00/100 Dollars (\$1,100.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 117, Township 10, Range 7, Block E, Sublot 31 as filed under Map Cover 1322 and is further described on Erie County Tax Maps as Section, Block and Lot No. 134.740-2-32 (Milton Avenue 25.00 x 90.00). Intending to convey all land acquired by Erie County as Serial No. 317 in the County In Rem Tax Foreclosure Action No. 134 to Bernice and Joseph Kleinfelder, 76 Florence Avenue, West Seneca, New York 14224 for the sum of One Thousand One Hundred and 00/100 Dollars (\$1,100.00).

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 117, Township 10, Range 7, Block E, Sublot 32

as filed under Map Cover 1322 and is further described on Erie County Tax Maps as Section, Block and Lot No. 134.740-2-33 (Milton Avenue 25.00 x 90.00). Intending to convey all land acquired by Erie County as Serial No. 318 in the County In Rem Tax Foreclosure Action No. 134 to Bernice and Joseph Kleinfelder, 76 Florence Avenue, West Seneca, New York 14224 for the sum of One Thousand One Hundred and 00/100 Dollars (\$1,100.00),

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute quit claim deed conveying the interest of the County of Erie in the above described properties to the aforesaid purchasers, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Director of Budget, Management and Finance, the Office of the County Comptroller, the County Attorney and the Finance Office.

(5-0)

8. Item PAGE -2002 (Intro. 13-9)

DeBENEDETTI, MAJORITY CAUCUS

WHEREAS, the Erie County Medical Center Healthcare Network (ECMC) is currently a county-owned and operated medical network which serves the eight county area of western New York; and

WHEREAS, ECMC provides innumerable services and unsurpassed treatment to citizens in the area; and

WHEREAS, the attributes of ECMC have been repeatedly extolled and unquestioned; and

WHEREAS, on February 28, 2002, the Erie County Legislature initiated a process by authorizing the drafting of a proposed Home Rule Message to the NYS Legislature seeking public benefit corporation status for ECMC; and

WHEREAS, Home Rule Messages to the NYS Legislature are a mechanism in which local governments may seek state authorization for activities which cannot be enacted by local law; and

WHEREAS, the NYS Legislature has historically granted the wishes of local municipalities under the Home Rule Message structure as long as the request does not contravene NYS law; and

WHEREAS, countless amounts of letters, meetings, speeches, telephone calls and analysis have gone into this Home Rule Message process; and

WHEREAS, the ECMC Board of Managers, the Erie County Legislature, and the Erie County Executive have been desirous of this reconstitution of ECMC and have worked tirelessly through the process with leaders in Albany to achieve this goal; and

WHEREAS, the local legislative delegation to the NYS Senate, in consultation with the Erie County Legislature and the Erie County Executive, has introduced several bills (S.6943, S.7635) as Home Rule Messages to reconstitute ECMC as a public benefit corporation; and

WHEREAS, one of bills (S.6943) contains provisions which are in tune with the negotiations in the Home Rule Message process; and

WHEREAS, the local delegation to the NYS Assembly has introduced its own bill (A.11697) as a Home Rule Message in the NYS Assembly which mirrors one of the bills (S.7635) in the NYS Senate in certain ways, but which contains several provisions which are potentially disastrous for Erie County; and

WHEREAS, it appears that the Home Rule Message process has been altered to seemingly undermine the reconstitution of ECMC as a PBC; and

WHEREAS, the Erie County Legislature refuses to pass a Home Rule Message that differs from the normal Home Rule Message process, is contrary to the negotiations during the process or contains provisions, or which could seriously harm Erie County;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature feels that the reconstitution of ECMC as a PBC must go forward with haste; and be it further

RESOLVED, that the Erie County Legislature demands that members from the local delegations to the NYS Senate and NYS Assembly negotiate with the Erie County Executive and the Erie County Legislature to develop acceptable provisions for the Home Rule Message that are consistent with previous negotiations and are devoid of harm to Erie County; and be it further

RESOLVED, that such negotiations should be accomplished as soon as possible; and be it further;

RESOLVED, that certified copies of this resolution be forwarded to the delegations representing Western New York in the NYS Senate and NYS Assembly, County Executive Giambra, the ECMC Board of Managers, and the leadership of the unions representing employees at ECMC.

Fiscal Impact: To be Determined
(3-1) Legislator Swanick absent for vote. Legislator Peoples in the negative.

DALE W. LARSON
CHAIRMAN