

## Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☒ County ☐ City ☐ Town ☐ Village  
(Select one.)  
of Erie

FILED  
STATE RECORDS  
FEB 22 2017

Local Law No. 1 of the year 20 17

DEPARTMENT OF STATE

A local law amending Local Law No. 1-1959, constituting the Erie County Charter, as amended, in relation to  
(Insert Title)  
recommendations made by the Erie County Charter Revision Commission, duly organized  
pursuant to Local Law No. 5-2015.

Be it enacted by the \_\_\_\_\_ of the  
(Name of Legislative Body)

☒ County ☐ City ☐ Town ☐ Village  
(Select one.)  
of Erie

as follows:

### Section 1.

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

(If additional space is needed, attach pages the same size as this sheet, and number each.)

## **Section 2.**

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

**Erie County and its Government – Charter**

- 101. Title and purpose
- 102. County status, powers, and duties
- 103. Charter effect on state laws
- 104. Charter effect on local laws and resolutions

## **Section 3.**

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

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

## **Section 4.**

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

### **Article 2 – Legislative Branch – Charter**

**Section 201.** County legislature constituted.

202. Powers and duties.

202.1 Qualifications and eligibility of county legislators.

202.2 Elections and terms of office.

202.3 Increasing the salaries of county elected officials.

202.4 Allocation of funds for the Erie County Legislature.

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

204. Form and procedure.

205. Procedure for adoption of local laws.

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

207. Referendum.

208. Effective date.

209. Ordinances.

210. Advisory committee on reapportionment.

211. Approval of independent auditors.

**Section 5.**

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

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

**Section 6.**

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

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

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

**Section 7.**

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

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

Legislature in the annual budget, exclusive of the funds for the Office of the Clerk of the County Legislature, and the proportion that the minority members of the Legislature will bear to the total number of legislators, provided that the minority will not receive less than 35 percent of the funds appropriated for the County Legislature in the annual budget, exclusive of the funds for the Office of the Clerk of the County Legislature, as of the commencement of the fiscal year for which the budget is adopted. The County Legislature shall adopt an ordinance or resolution to effect the allocation in December of each year where necessary. Notwithstanding anything else to the contrary, this section may only be altered, amended, repealed or superseded by nine affirmative votes of the County Legislature.

#### **Section 8.**

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

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

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

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

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

**Section 9.**

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

**Section 302. Powers and duties**

- b. Except as otherwise provided in this Charter, and subject to confirmation where so provided, appoint to serve during his or her pleasure the head of every department and other administrative unit of the County and the officers and employees in his or her own office. Prior to appointing the head of any department or other administrative unit of the County, the County Executive shall prominently display a notice on the County's webpage that there is an opening for such position for at least five business days. Before making any such appointment the County Executive will interview at least one minority or female candidate, provided that a female or minority individual legally qualified to hold the office to be appointed applies for such appointment.

**Section 10.**

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

**Article 4 - Department of Real Property Tax Services - Charter**

**Section 11.**

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

**Section 503. Board of health.** There shall be in the department a board of health, the members of which shall be appointed by the county executive. The composition of such board in regard to the number of members and professional, governmental or other representation, and the terms of such members, shall be as provided in the Public Health Law for a County Board of Health. The board of health shall at the request of the commissioner, and may on its own initiative, advise on matters relating to the preservation and improvement of the public health and on matters relating to services and facilities of the county laboratory. The Board may on its own initiative make recommendations and suggestions to the County Executive relative to the qualifications and appointments of the Commissioner of Health and relative to the qualifications and duties of the deputy commissioners, officers or employees of the Department of Health.  
Amended by Local Law No. 8 1989.

**Section 12.**

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

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

**Section 13.**

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

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

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

**Section 14.**

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

**Article 10 - Department of Environment and Planning – Charter**

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

1002. Powers and duties of commissioner.

1003. County environmental quality code.

1004. Erie County Environmental Management Council.

**Section 15.**

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

**Section 1004. Erie County Environmental Management Council**

1004.1 Declaration of policy.

1004.2 Establishment of the Erie County Environmental Management Council; membership.

1004.3. Powers, duties and functions of the council.

1004.4 Compensation and expenses.

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

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

**Section 1004.2. Establishment of the Erie County Environmental Management Council; membership.** There is hereby established, pursuant to article 47 of New York State Environmental Conservation Law and New York Municipal Home Rule Law, a county environmental management council, to be known as the Erie County Environmental Management Council, hereinafter called the Council. The Council shall be appointed by the County Executive, subject to the confirmation of the Legislature, and shall consist of twelve

members at large and one member recommended to the County Executive by and from each town, village or city environmental or conservation management council established by the official governing body of such town, village or city. The term of all members shall be two years. Vacancies on the Council shall be filled in the same manner as the original appointment except that a vacancy occurring through circumstances other than by expiration of term of office shall be filled only for the remainder of the unexpired term. In addition, the Commissioner of Environment and Planning, and the Commissioner of Health, shall be ex officio voting members of the Council.

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

Amended by Local Law No. 2 1977.

Amended by Local Law No. 16 1974.

Amended by Local Law No. 1 1972.

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

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

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

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

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

The Council shall develop, recommend and assist in the conduct of a program to improve the coordination and effectiveness of public and private projects and activities in the County in accord with the purposes of this law, working in cooperation with the environmental or conservation commissions in the cities, towns, and villages within the county and with other

public and private agencies, focusing particularly on those matters relating to environmental quality which require intergovernmental action.

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

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

#### **Section 16.**

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

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

#### **Section 17.**

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

##### **Article 12 - Department of Social Services - Charter**

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

1202. Powers and duties of the commissioner.

1203. Division of Youth Services.

1204. Youth Bureau Board.

1205. Executive Director of Youth Bureau.

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

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

**Section 1202. Powers and duties of the commissioner.** Except as otherwise provided in this charter, the commissioner of social Services shall have all the powers and perform all the duties conferred on or required of a county commissioner of public welfare under the social welfare law or other applicable law, and perform such additional and related duties as the county executive may prescribe.

Amended by Local Law No. 6 1975.

**Section 1203. Division of Youth Services.** There shall be within the department of social Services a division of youth services, headed by a deputy commissioner. In addition to all other



duties prescribed by local law, ordinance or resolution of the Legislature or by the commissioner of social Services, the deputy commissioner of the division of youth services shall have charge of youth detention services and the youth bureau.

**Section 1204. Youth Bureau Board.** There shall be established a youth bureau board to the division of youth services of the department of social Services.

**Section 1205. Executive Director of Youth Bureau.** There shall be an executive director of the youth bureau within the division of youth services of the department of social Services. The executive director shall be appointed by the county executive.

Article 12 was formerly numbered Article XI.

#### **Section 18.**

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

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

Amended by Local Law No. 2 1988.

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

Amended by Local Law No. 2 1989.

#### **Section 19.**

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

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

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

1402. Powers and duties.

1403. Advisory boards.

**Section 1401. Department established; commissioner of Homeland Security and emergency services.** There shall be a department of Homeland Security and emergency services, the head of which shall be the commissioner of Homeland Security and emergency services. He or she shall

be appointed by the county executive subject to confirmation by the county legislature to serve at the pleasure of the county executive.

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

1. Have all the powers and perform all the duties conferred or imposed upon county directors of emergency medical services by the laws of the state of New York.
2. Plan, develop and coordinate, to the extent authorized by law or agreement, the implementation of protocols and procedures for, and the provision of, emergency medical services within the county of Erie, including, but not limited to: training and certification of persons as emergency medical technicians at one or more levels of service; communications services, including medical telemetry and control, between hospitals and ambulances by medical emergency radio system; ambulance dispatching, inspection and certification.
3. Have all the powers and shall perform all of the duties conferred or imposed upon county fire coordinators by the laws of the state of New York.
4. Have all the powers and execute the duties of the county executive in his or her capacity as the county's local director of civil defense under the New York state defense emergency act, being chapter eighty four of the laws of nineteen hundred and fifty one, as amended.
5. Develop, make public and regularly amend a county disaster preparedness plan, in accordance with article two B of the executive law, for the coordination of emergency services in the event of natural or other disaster or emergency.
6. Coordinate the provision of homeland security, disaster, and emergency assistance by local disaster preparedness and civil defense forces in the event of a declaration by the county executive of a state of emergency or disaster within the county or in the case such assistance is requested by the chief executive of any city, town or village within the county.
7. Originate, coordinate, and promote programs with respect to fire safety, emergency medical services, homeland security and disaster preparedness within the county of Erie.
8. Perform such further duties as may be prescribed or directed by the county executive or the county legislature.
9. Plan for emergency communications and maintain a tactical interoperable communication plan to meet federal guidelines.

**Section 20.**

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

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

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

**Section 21.**

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

**Section 1601. Department of senior services; commissioner.** There shall be a department of senior services, the head of which shall be the commissioner. The Commissioner of said department shall be appointed by and shall serve at the pleasure of the County Executive.

**Section 22.**

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

**Article 17 - Department of Public Advocacy – Charter**

**Section 1701. Office of public advocacy**

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

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

1704. Division on the status of women

1705. Advisory commission to division on the status of women

1706. Division for Persons with Disabilities.

1707. Advisory board to division for Persons with Disabilities.

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

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

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

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

**Section 1703. Advisory board to division of equal employment opportunity, Diversity and Inclusion.** There shall be established an advisory board to the division of equal employment opportunity, Diversity and Inclusion which shall be known as the Minority and Women Utilization Advisory Board. The Board will evaluate and review the adequacy of the County's Affirmative Action Plan. It will also evaluate and review the adequacy of the County's efforts on behalf of Minority and Women's Business Enterprises. Members will receive community input for improvement of employment opportunities with the County. Appointments must reflect an equitable representation of the groups affected by the Equal Employment Opportunity Act of 1972 as amended.

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

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

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

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

Amended by Local Law No. 1-2008.

Added by Local Law No. 3-2006.

**Section 23.**

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

**Section 1802. Powers and duties.** The comptroller shall:

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

**Section 24.**

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

**Article 21 - Sheriff - Charter**

Section 2101. Election.

2102. Powers and duties.

2103. Deputies and employees.

2104. Jail Management Division.

2105. Police Services Division.

2106. Correctional Health Division.

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

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

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

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

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

**Section 25.**

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

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

Section 2201. Board of elections.

2202. Traffic safety advisory board.

2203. Department of Probation.

2204. Other boards; how appointed.

2205. Advisory boards.

2206. Additional appointments by county executive.

2207. Miscellaneous administrative functions.

2208. Poverty Advisory Board.

**Section 26.**

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

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

**Section 27.**

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

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

Amended by Local Law No. 3-2006.

**Section 28.**

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

**Section 2205. Advisory Boards**

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

**Section 29.**

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

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

**Section 30.**

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

**Section 31.**

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

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

The Poverty Advisory Board shall advise County departments on matters relating to social welfare.

**Section 32.**

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

**Section 33.**

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

**Article 22-A - Citizens Salary Review Commission - Charter**

Section 22-A -01. Establishment and membership.

22-A -02. Duties of commission.

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

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

**Section 22-A-02. Duties of commission.** Beginning on July first, nineteen hundred eighty six, the commission shall review the salaries of all elected officials of the county of Erie, except for the district attorney, and report its recommendations to the county executive and the county legislature by September first of that year. The committee shall provide ample opportunity for public input prior to making its recommendations to the county executive and county legislature. Such a review of salaries set as forth above shall occur during every even year starting with nineteen hundred eighty six.

Added by Local Law No. 6 1986.

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

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

**Article 22-B - Erie County Community Coordinating Council on Children and Families - Charter**

Section 22-B -01. Legislative declaration of policy.



22-B -02. Establishment, powers and duties.

22-B -03. Membership, meetings.

22-B -04. The county executive.

22-B -05. Staff.

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

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

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

The services system can be strengthened by:

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

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

1. Develop a methodology to evaluate, monitor and ascertain the effectiveness of current programs in children's services.
2. Identify problems and deficiencies in existing services and recommend corrective action.
3. Improve coordination of program and fiscal resources within the children's services system.
4. Act as a liaison between county governmental units, public voluntary programs and the state and federal government, fostering better communication between all involved.
5. Review and resolve administrative, and where appropriate, regulatory differences between agencies.
6. Develop long range plans to improve services to children and families. This should be accomplished through a five year comprehensive service plan similar to those utilized by county departments.
7. Act as a forum for community discussion of issues pertaining to services for children and families.
8. Carry out any and all activities deemed necessary to accomplish the goals of the council as stated herein.

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

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

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

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

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

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

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

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

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

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

**Section 22-B-05. Staff.** The council shall be provided with a coordinator, under the auspices of the county executive to serve the council in capacities which include managing the correspondence of the council; providing a schedule of meeting dates; distributing a calendar of information on programs and events members may be interested in attending. The coordinator shall also serve as research assistant, and coordinate and implement the use of the monitoring mechanism, so that the council shall have service and program data to use in its planning efforts. The council and its coordinator shall also have access to secretarial staff as needed to complete its tasks.

Amended by Local Law No. 3-1992.

Amended by Local Law No. 7 1990.

Added by Local Law No. 4 1988.

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

#### **Section 34.**

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

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

#### **Section 35.**

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

##### **Section 2505. Fund balance**

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

#### **Section 36.**

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

##### **Section 2506. Revenue and certain expense projections reviewed**

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

### **Section 37.**

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

#### **Section 2507. Budget controls.**

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

### **Section 38.**

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

#### **Section 2508. Adoption of budget.**

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

the same to the county Legislature on or before the seventh business day after the sixth of December. The county legislature shall thereupon enter the objections upon its journal and proceed to reconsider the additions and increases so objected to. If upon such reconsideration two thirds of all members of the county legislature vote to approve such additions and increases, or any of them, the budget with any additions and increases so approved, together with any additions and increases not so objected to by the county executive, shall be deemed adopted.

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

#### **Section 39.**

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

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

#### **Section 40.**

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

##### **Section 2608. Charter revision commission.**

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

#### **Section 41.**

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

#### **Section 42.**

##### **STEPS FOLLOWING EFFECTIVE DATE.**

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

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

**Section 43.**

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

**Sponsor: Joseph C. Lorigo**

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*)**

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 20 17 of the (County) \_\_\_\_\_ of Erie \_\_\_\_\_ was duly passed by the Erie County Legislature on January 5 20 17, and was (approved)(not approved) ~~XXXXXXXXXX~~  
(Name of Legislative Body)  
(repassed after disapproval) by the Erie County Executive and was deemed duly adopted  
(Elective Chief Executive Officer\*)  
on February 3, 20 17, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)  
(Name of Legislative Body)  
(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.  
(Elective Chief Executive Officer\*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)  
(Name of Legislative Body)  
(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 2 above.

Karen M. McCarthy  
Clerk of the county legislative body, City, Town or Village Clerk or  
officer designated by local legislative body

(Seal)

Date: February 17, 2017



A Public Hearing was held on the foregoing **Local Law Intro. No. 16-1 2016 on January 24, 2017** due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, MARK C. POLONCARZ, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this 3<sup>rd</sup> day of February, 2017.



Mark C. Poloncarz

A Public Hearing was held on the foregoing **Local Law Intro. No. 16-1 2016 on January 24, 2017** due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, MARK C. POLONCARZ, County Executive of Erie County, do hereby DISAPPROVE and VETO said Local Law this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mark C. Poloncarz