

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(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.

STATE OF NEW YORK  
DEPARTMENT OF STATE  
FILED  
FEB 07 2007

County  
~~XXXXXX~~  
of Erie  
~~XXXXXX~~  
Town  
~~XXXXXX~~  
Village  
~~XXXXXX~~

MISCELLANEOUS  
& STATE RECORDS

Local Law No. 4 of the year 2006

A local law providing for the lease of a portion of the South Campus of Erie Community College for the development of student housing.

Be it enacted by the Legislature of the  
(Name of Legislative Body)

County  
~~XXXXXX~~  
of Erie  
~~XXXXXX~~  
Town  
~~XXXXXX~~  
Village  
~~XXXXXX~~ as follows:

BE IT ENACTED by the Erie County Legislature as follows:

SECTION 1. Notwithstanding the provisions of Section 215 of the County Law or any special act or local law to the contrary, the County may lease such portion of the South Campus of Erie Community College, as may be determined by the Erie County Legislature to not be required for public use, to the Erie Community College Foundation or an affiliated 501(c)(3) entity for the development of student housing on the South Campus of Erie Community College, without competitive bidding or public advertisement, on such terms and conditions as may be approved by the Erie County Legislature. Such lease may provide for an original term of up to thirty-five years and for a total term, including renewals and extensions, of up to forty-nine years.

SECTION 2. If any article, section, subsection, paragraph, phrase or sentence of this local law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereof.

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

(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. 4 of 2006 of the (County)(City)(Town)(Village) of Erie was duly passed by the Erie County Legislature on Sept. 28 2006 and was (approved)(not approved)(repassed after disapproval) by the Erie County Executive and was deemed duly adopted on Nov. 2 2006, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**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)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. 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.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**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)(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.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

\* 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.)

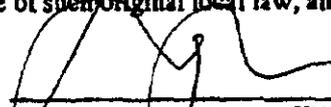
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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.

  
\_\_\_\_\_  
~~Clerk of the County legislative body~~ ~~City Clerk of Village~~ ~~Office designated by local legislative body~~

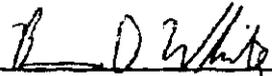
(Seal)

Date: 2/6/07

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF Erie

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

  
\_\_\_\_\_  
Signature Brian D. White  
Assistant County Attorney  
\_\_\_\_\_  
Title

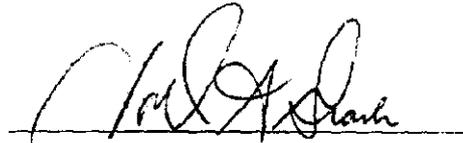
County Erie  
~~City~~ of \_\_\_\_\_  
~~Town~~  
~~Village~~

Date: 2/6/07

A Public Hearing was held on the foregoing Local Law Intro. No. 9-2006 on Thursday, October 12, 2006 at 10:00 a.m., 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, JOEL A. GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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A Public Hearing was held on the foregoing Local Law Intro. No. 9-2006 on Thursday, October 12, 2006 at 10:00 a.m., 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, JOEL A. GIAMBRA, County Executive of Erie County, do hereby DISAPPROVE and VETO said Local Law this 27<sup>th</sup> day of October, 2006.

  
\_\_\_\_\_

# STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY  
CLERK'S OFFICE

BUFFALO, N.Y., November 2, 2006

TO WHOM IT MAY CONCERN:

**I HEREBY CERTIFY**, *That at the 21st Session of the Legislature of Erie County, held in the Legislative Chambers, in the City of Buffalo on the Second day of November, 2006 A.D. a Resolution was adopted, of which the following is a true copy:*

RESOLVED, that the Erie County Legislature does hereby override the County Executives veto of Local Law Intro No. 9 – 2006 (“A LOCAL LAW providing for the lease of a portion of the South Campus of Erie Community College for the development of student housing”)

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