

September 21, 2009

FINANCE & MANAGEMENT COMMITTEE  
REPORT NO. 10

ALL MEMBERS PRESENT.

CHAIR MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 10M-6 (2009)  
**THE AMERICAN COUNCIL OF ENGINEERING COMPANIES OF NY - WESTERN REGION:** "Copy of Letter to County Executive Regarding Engineering Firms Providing Professional Services to EC"  
(6-0)
  - b. COMM. 12E-2 (2009)  
**COMPTROLLER:** "Letter to Legislature Concerning April 2009 Sales Tax"  
(6-0)
  - c. COMM. 12E-3 (2009)  
**KONST:** "Copy of Letter to County Executive Requesting Participation in the Mid-Year Budget Hearings"  
(6-0)
  - d. COMM. 12D-3 (2009)  
**AUDIT COMMITTEE FOR ERIE COUNTY:** "Annual Report for Year Ended 12/31/07"  
(6-0)
  - e. COMM. 13E-1 (2009)  
**MARINELLI, WHYTE, MILLS & KONST:** "Copy of Letter to Budget Director Regarding Guidance & Coordination of the Capital Projects Committee - Proposed Capital Projects for 2010 - 2016"  
(6-0)
  - f. COMM. 13D-4 (2009)  
**DIRECTOR OF BUDGET & MANAGEMENT:** "Budget Monitoring Report For Period Ending 5/31/09"  
(6-0)
  - g. COMM. 14E-1 (2009)  
**COMPTROLLER:** "Apportionment and Distribution of Net Collections from the Local 4.75% Sales & Compensating Use Tax for EC (March -May 09)"  
(6-0)
  - h. COMM. 14E-12 (2009)  
**REYNOLDS:** "Report Entitled, "Forclosing Erie County" by the WNY Law Center, 2009"  
(6-0)
  - i. COMM. 14D-1 (2009)  
**DIRECTOR OF BUDGET & MANAGEMENT:** "Information Request - Mid-Year Budget Hearings"  
(6-0)
  - j. COMM. 14D-3 (2009)  
**ASSOCIATE DEPUTY COMPTROLLER:** "Copy of Letter to Legislator Konst Regarding Mid-Year Budget Hearings - Attachment of Submission from the Office of Comptroller"  
(6-0)
  - k. COMM. 17E-3 (2009)  
**COMPTROLLER:** "Erie County 2008 Comprehensive Annual Financial Report"  
(6-0)
  - l. COMM. 17E-8 (2009)  
**COMPTROLLER:** "EC Financial Report for Period Ending 6/30/09"  
(6-0)
  - m. COMM. 17E-12 (2009)  
**COMPTROLLER:** "Letter Concerning June 2009 Sales Tax"  
(6-0)
  - n. COMM. 17E-16 (2009)  
**COMPTROLLER:** "Copy of the External Auditor's (Deloitte & Touche LLP) Management Letter for EC, Year Ended 12/31/08"  
(6-0)
  - o. COMM. 17D-17 (2009)  
**DIRECTOR OF BUDGET & MANAGEMENT:** "BMR Report - Period Ending 6/30/09"  
(6-0)

- p. COMM. 17M-9 (2009)  
**ECFSA:** "Copy of Letter to Chair Marinelli Concerning Status Change from Control to Advisory Status"  
(6-0)
- q. COMM. 17M-22 (2009)  
**NYS BOARD OF REAL PROPERTY SERVICES:** "Certification of County Equalization Rates for 2009 Assessment Rolls for Municipalities in EC"  
(6-0)
- r. COMM. 17M-35 (2009)  
**BUFFALO DEPT. OF ASSESSMENT & TAXATION:** "2010 Transit Mall Service Charge Roll"  
(6-0)
2. COMM. 13E-23 (2009)  
**COUNTY EXECUTIVE**  
WHEREAS, the real property known as 204 Hirschfield Drive in the Village of Williamsville (S.B.L. 81.06-3-74) is a vacant parcel of residential land measuring approximately fifty (50) feet by one hundred thirty nine and thirty nine hundredths (139.39) feet and is owned by Williamsville Realty Company, Inc., a defunct New York corporation dissolved by Proclamation filed December 31, 1937 in the Erie County Clerk's Office; and
- WHEREAS, Glen M. Wagner and Marcia Wagner have owned and resided at 198 Hirschfield Drive in the Village of Williamsville since 1981 which realty is located next north of the aforementioned vacant parcel at 204 Hirschfield Drive; and
- WHEREAS, the Wagner's have maintained, cultivated, planted and used the subject property for off street parking, equipment storage and gardening for the past twenty-eight (28) years; and
- WHEREAS, the subject property was restored to the tax rolls in 2005 after having been declassified as a paper street; and
- WHEREAS, the 2006 and 2007 real property taxes on the subject property have not been paid and the tax certificates of these unpaid taxes are held by the County of Erie; and
- WHEREAS, Glen M. Wagner conveyed the subject property to himself and Marcia Wagner by Quit Claim deed in 2008 and thereafter paid the 2008 and 2009 real property taxes assessed against it; and

WHEREAS, the Wagner's wish to purchase the 2006 tax certificate in an effort to acquire title to the subject property through the tax deed sale procedure established by the Erie County Tax Act and thereby avoid the institution of legal proceedings based upon the doctrine of adverse possession.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of Real Property Tax Services, Joseph L. Maciejewski, CCD is hereby authorized to sell the 2006 tax certificate for 204 Hirschfield Drive in the Village of Williamsville to Glen M. Wagner and Marcia Wagner in accord with the provisions of the Erie County Tax Act.

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, Gregory Kammer, County Attorney's Office, Department of Real Property Tax Services.  
(6-0)

3. COMM. 17E-37 (2009)  
**COUNTY EXECUTIVE**

WHEREAS, Erie Community College has identified a need for a capital project involving the renovation and upgrade of several academic labs and the library at City Campus, which was not included as part of the original capital project budget approved by Erie County; and

WHEREAS, there currently exists a balance of approximately \$366,000 in ECC's capital chargeback account; and

WHEREAS, the renovation and upgrade will create state-of-the-art academic labs and an expanded library providing an enhanced teaching and learning environment, increasing student retention and enrollment while addressing some infrastructure needs; and

WHEREAS, all costs incurred up to \$250,000 for this project will be paid out of ECC's capital chargeback account without utilizing operating funds; and

WHEREAS, on August 26, 2009 the ECC Board of Trustees approved the capital project to be submitted for sponsor approval.

NOW, THEREFORE, BE IT

RESOLVED, that the ECC Board of Trustees approved a capital project involving the renovation and upgrade of several academic labs and the library at City Campus at a cost estimated not to exceed \$250,000 to be funded by the Erie Community College Capital Chargeback Fund; and be it further

RESOLVED, that pending Erie County Legislative approval, such project, along with corporate donations, will be submitted to New York State for 50% state aid reimbursement, with such reimbursement being placed back into the capital chargeback account; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, President of Erie Community College, the Chairman of the Board of Trustees, the Erie County Director of Budget, Management of Finance, the Erie County Comptroller, the Department of Law and the Erie County Commissioner of Public Works.  
(6-0)

**ROBERT B. REYNOLDS, JR.**  
**CHAIR**