

September 17, 2004

FINANCE & MANAGEMENT
COMMITTEE
REPORT NO. 11

ALL MEMBERS PRESENT. CHAIRMAN HOLT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, that the following items are hereby received and filed.
 - a. Item Page -2004 (Comm. 15E-3)
COMPTROLLER: Use of Tobacco Asset Securitization Proceeds.
(6-0) Chairman Holt present as Ex-Officio Member.
 - b. Item Page -2004 (Comm. 15E-7)
COMPTROLLER: Bond Resolution - \$5,000,000 – Surveys, Plans & Estimates for Improvements to Various Road & Bridges.
(4-2) Marshall & Weinstein in the negative. Chairman Holt present as Ex-Officio Member.
 - c. Item Page -2004 (Comm. 16D-6)
BUDGET, MANAGEMENT & FINANCE – DIVISION OF REAL PROPERTY TAX:
2004 Annual Report.
(6-0) Chairman Holt present as Ex-Officio Member.
 - d. Item Page -2004 (Comm. 17E-2)
COMPTROLLER: Notice of Sale of \$83 Million Revenue Anticipation Note.
(6-0) Chairman Holt present as Ex-Officio Member.
 - e. Item Page -2004 (Comm. 17E-7)
COMPTROLLER: Certificate of Determination – Sale of \$82,500,000 Revenue Anticipation Note.
(6-0) Chairman Holt present as Ex-Officio Member.
 - f. Item Page -2004 (Comm. 17E-32)
COUNTY EXECUTIVE: Transfer of Erie County Tax Sale Certificates – 4901 Transit Road.
(6-0) Chairman Holt present as Ex-Officio Member.
 - g. Item Page -2004 (Comm. 17M-4)
NYS BOARD OF REAL PROPERTY SERVICES: List of Certified 2004 State Equalization Rates.
(6-0) Chairman Holt present as Ex-Officio Member.
 - h. Item Page -2004 (Comm. 17M-5)
NYS BOARD OF REAL PROPERTY SERVICES: List of Certified 2004 State Equalization Rates.
(6-0) Chairman Holt present as Ex-Officio Member.

i. Item Page -2004 (Comm. 19D-36)
COUNTY ATTORNEY: Resolution of Board of Directors of ETASC.
 (6-0) Chairman Holt present as Ex-Officio Member.

2. Item Page -2004 **AS AMENDED**
 (Comm. 1D-21)
BUDGET, MANAGEMENT & FINANCE

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

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

RESOLVED, that petitions numbered 204225 through 204260 inclusive be hereby approved or denied base upon the recommendation of the Director of Real Property Services and be charged back to the applicable towns and / or cities.

FISCAL YEAR	Petition No.	204225
	Cancel	\$124.67

S-B-L

Acct. No. 112	\$124.67	County
Acct. No. 132	\$0.00	Town/SpecialDist/School

Charge To : 140200 BUFFALO \$0.00

CANCEL - CLERICAL ERROR, THE RPTL 520 WAS MISCALCULATED ON THE TAX ROLL. THE ACTUAL SALE DATE APRIL 3, 2003. RPTL 550(2)E

FISCAL YEAR 2004	Petition No.	204226
ASSESSOR	Cancel	\$598.20

S-B-L 41.07-14-1./4B 142289 AMHERST

Acct. No. 112	\$0.00	County
Acct. No. 132	\$598.20	Town/SpecialDist/School

41854 BASIC STAR EXEMPTION \$598.20

Charge To : 142289 AMHERST \$0.00

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
30,000 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C
WILLIAMSVILLE CENTRAL

FISCAL YEAR 2004 Petition No. **204227**

ASSESSOR **Cancel** \$598.20

S-B-L 42.15-4-17 **142289 AMHERST**

Acct. No. 112 \$0.00 County
Acct. No. 132 \$598.20 Town/SpecialDist/School

41854 BASIC STAR EXEMPTION \$598.20

Charge To : **142289 AMHERST** **\$0.00**

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
30,000 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
WILLIAMSVILLE CENTRAL

FISCAL YEAR 2004 Petition No. **204228**

ASSESSOR **Cancel** \$2,990.98

S-B-L 55.01-1-3.1 **142289 AMHERST**

Acct. No. 112 \$0.00 County
Acct. No. 132 \$2,990.98 Town/SpecialDist/School

Charge To : **142289 AMHERST** **\$2,990.98**

Relevy School \$2,990.98142203 WILLIAMSVILLE CENT

CANCEL - CLERICAL ERROR, THE ASSESSMENT WAS INCORRECT ON THE TAX
ROLL. THE ASSESSED VALUE WAS 3,850,000 AND SHOULD BE 3,700,000.
RPTL 550(2)A

FISCAL YEAR 2004 Petition No. **204229**

CANCEL - CLERICAL ERROR, PARCEL RECEIVED THE BASIC STAR FOR 30,000
WHEN IT SHOULD HAVE RECEIVED THE ENHANCED STAR FOR 50,000.
RPTL 550(2)B SWEET HOME

FISCAL YEAR 2003 Petition No. **204232**

ASSESSOR **Refund** \$142.80

S-B-L 67.65-2-18 **142289 AMHERST**

Acct. No. 112 \$69.74 County
Acct. No. 132 \$73.06 Town/SpecialDist/School

Charge To : **142289 AMHERST** **\$73.06**

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF
15,000 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C
CHECK FOR: FRANCIS A SCHEDA

FISCAL YEAR 2004 Petition No. **204233**

ASSESSOR **Refund** \$147.54

S-B-L 67.65-2-18 **142289 AMHERST**

Acct. No. 112 \$68.05 County
Acct. No. 132 \$79.49 Town/SpecialDist/School

Charge To : **142289 AMHERST** **\$79.49**

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF
15,000 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C
CHECK FOR: FRANCIS SCHEDA

FISCAL YEAR 2004 Petition No. **204234**

ASSESSOR **Cancel** \$212.70

S-B-L 68.13-3-11 **142289 AMHERST**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$212.70	Town/SpecialDist/School

Charge To : 142289 AMHERST \$212.70

Relevy School \$212.70 142201 AMHERST CENTRAL

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 131,000 AND SHOULD BE 121,000.
RPTL 550(2)A

FISCAL YEAR 2004 Petition No. 204235

ASSESSOR Cancel \$276.50

S-B-L 68.14-2-28 142289 AMHERST

Acct. No. 112	\$0.00	County
Acct. No. 132	\$276.50	Town/SpecialDist/School

Charge To : 142289 AMHERST \$276.50

Relevy School \$276.50 142201 AMHERST CENTRAL

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 180,000 AND SHOULD BE 167,000.
RPTL 550(2)A

FISCAL YEAR 2004 Petition No. 204236

ASSESSOR Cancel \$598.19

S-B-L 68.15-6-10 142401 EAST AURORA

Acct. No. 112	\$0.00	County
Acct. No. 132	\$598.19	Town/SpecialDist/School

41854 BASIC STAR EXEMPTION \$598.19

Charge To : 142401 EAST AURORA \$0.00

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
WILLIAMSVILLE CENTRAL

Relevy School \$249.25 142203 WILLIAMSVILLE CENT

CANCEL - CLERICAL ERROR, THIS PARCEL WAS MERGED INTO SBL
69.16-1-7.1. RPTL 550(2)A

FISCAL YEAR 2004 **Petition No.** **204240**

ASSESSOR **Cancel** \$850.79

S-B-L 79.12-1-24 **142289 AMHERST**

Acct. No. 112 \$0.00 County
Acct. No. 132 \$850.79 Town/SpecialDist/School

Charge To : **142289 AMHERST** **\$850.79**

Relevy School \$850.79 142201 AMHERST CENTRAL

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY
ON THE TAX ROLL. THE ASSESSMENT WAS 175,000 AND SHOULD BE 135,000.
RPTL 550(2)A.

FISCAL YEAR 2004 **Petition No.** **204241**

ASSESSOR **Cancel** \$996.99

S-B-L 80.16-2-6.11/68 **142289 AMHERST**

Acct. No. 112 \$0.00 County
Acct. No. 132 \$996.99 Town/SpecialDist/School

41834 NYS STAR ENHANCED EXEMPTION \$996.99

Charge To : **142289 AMHERST** **\$0.00**

CANCEL - CLERICAL ERROR, THE ENHANCED STAR IN THE AMOUNT OF
50,000 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
WILLIAMSVILLE CENTRAL

FISCAL YEAR 2004 **Petition No.** **204242**

ASSESSOR **Cancel** \$398.79

S-B-L 81.10-1-36

142289 AMHERST

Acct. No. 112	\$0.00	County
Acct. No. 132	\$398.79	Town/SpecialDist/School

41834 NYS STAR ENHANCED EXEMPTION \$398.79

Charge To : 142289 AMHERST \$0.00

CANCEL - CLERICAL ERROR, THIS PARCEL RECEIVED THE BASIC STAR IN THE AMOUNT OF 30,000 AND SHOULD HAVE RECEIVED THE ENHANCED STAR IN THE AMOUNT OF 50,000. RPTL 550(2)B

FISCAL YEAR 2002 Petition No. **204243**ASSESSOR **Refund** \$1,057.81

S-B-L 164.20-2-13

142401 EAST AURORA

Acct. No. 112	\$0.00	County
Acct. No. 132	\$1,057.81	Town/SpecialDist/School

Charge To : 142401 EAST AURORA \$1,057.81**Relevy School \$1,057.81 142401 EAST AURORA UNION**

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 35,000 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C
CHECK FOR: LOUISE PRATT

FISCAL YEAR 2003 Petition No. **204244**ASSESSOR **Refund** \$372.88

S-B-L 164.20-2-13

142289 AURORA

Acct. No. 112	\$285.63	County
Acct. No. 132	\$87.25	Town/SpecialDist/School

Charge To : 142289 AURORA \$87.25

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 35,000 WAS OMITTED FROM THE TAX ROLL IN ERROR. RPTL 550(2)C
CHECK FOR : LOUISE PRATT

CHECK FOR: LOUISE PRATT

FISCAL YEAR 2004 Petition No. **204248**

ASSESSOR **Refund** \$545.40

S-B-L 164.20-2-13 **142401 EAST AURORA**

Acct. No. 112 \$0.00 County
Acct. No. 132 \$545.40 Town/SpecialDist/School

Charge To : **142401 EAST AURORA** **\$545.40**

Relevy School \$545.40 142401 EAST AURORA UNION

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 35,000 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
CHECK FOR: LOUISE PRATT

FISCAL YEAR 2003 Petition No. **204249**

ASSESSOR **Refund** \$535.31

S-B-L 200.00-1-28.2 **142289 AURORA**

Acct. No. 112 \$0.00 County
Acct. No. 132 \$535.31 Town/SpecialDist/School

41854 BASIC STAR EXEMPTION \$535.31

Charge To : **142289 AURORA** **\$0.00**

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 16,880 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C
CHECK FOR: FREDERICK & LYNNEE SMERKA

FISCAL YEAR 2004 Petition No. **204250**

ASSESSOR **Refund** \$167.44

FISCAL YEAR 2003 Petition No. **204253**

 ASSESSOR **Cancel** \$1,200.00

S-B-L 234.20-3-21.1 **144200 ELMA**

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$1,200.00 Town/SpecialDist/School

Charge To : **144200 ELMA** **\$1,200.00**

CANCEL - CLERICAL ERROR, DELINQUENT WATER CHARGE ADJUSTED DUE TO WATER LEAK ADJUSTMENT MADE AT THE REQUEST OF THE TOWN BOARD. RPTL 550(2)E

FISCAL YEAR 2004 Petition No. **204254**

 ASSESSOR **Cancel** \$172.50

S-B-L 47.07-2-11.12 **145601 AKRON**

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$172.50 Town/SpecialDist/School

Charge To : **145601 AKRON** **\$172.50**

Relevy Village \$172.50 Village of AKRON

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 33,300 AND SHOULD BE 3,300. RPTL 550(2)A

FISCAL YEAR 2004 Petition No. **204255**

 ASSESSOR **Cancel** \$787.95

S-B-L 47.19-3-43.2 **145601 AKRON**

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$787.95 Town/SpecialDist/School

Charge To : **145601 AKRON** **\$787.95**

Relevy Village \$787.95 Village of AKRON

3. Item Page -2004 (Comm. 9E-78)

COUNTY EXECUTIVE

WHEREAS, Elmwood Square Preservation Housing Development Fund Company, Inc. (Elmwood Square) will renovate housing for low-income households (Project), pursuant to Article 11 of the New York Private Housing Finance Law; and

WHEREAS, the Project is located at 505 Elmwood Avenue, Buffalo, New York and will contain 129 residential units for low-income households; and

WHEREAS, Elmwood Square Apartments will be managed by M. J. Peterson Corporation; and

WHEREAS, in order to make the Project economically feasible for Elmwood Square, it is necessary to obtain tax relief from the County of Erie County and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute Payment in Lieu of Taxes (PILOT) Agreements with Elmwood Square and all other agreements necessary to conclude this Project; and be it further

RESOLVED, that said Agreement shall include an annual Payment in Lieu of Taxes (PILOT) of \$52,000 in the first year of the PILOT Agreement with a three (3) percent increase annually thereafter for a fifteen (15) year period, with the County share of each annual payment being twenty-five (25) percent of the total amount; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Director of the Division of Budget, Management and Finance, the Commissioner of the Department of Environment and Planning, the County Comptroller, and the County Attorney.

(6-0) Chairman Holt present as Ex-Officio Member.

4. Item Page -2004 (Comm. 19E-64)

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance has received a request from Joseph and Joan Marino regarding the above County owned parcel of land in West Seneca, and

WHEREAS, this parcel was approved for sale by the Advisory Review Committee, and

WHEREAS, this parcel was not bid on at the public auction held by Cash Realty on August 20, 2003, and

WHEREAS, because these adjacent owners have been caring for this property since 1992,

NOW, THEREFORE BE IT RESOLVED, that the following parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to Joseph and Joan Marino, 216 Burch Avenue, West Seneca, New York 14210 for the sum of One Hundred and 00/100 Dollars (\$ 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 195½, Township 10 Range 7 and according to a map entitled Lincoln Land Company Subdivision filed in the Erie County Clerk's Office under Map Cover Number 507 is known as north 5' of Sublot 123 and is further described on Erie County Tax Maps as Section, Block and Lot No. 133.28-1-19 (Burch Ave 5.00 x 112.00). Intending to convey those lands acquired in September 1951 by Erie County 1951 as Serial No. 87 in In Rem Tax Foreclosure Action No. 106.

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

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Division of Budget, Management and Finance, the office of the County Comptroller, the County Attorney and the Finance Department.
(6-0) Chairman Holt present as Ex-Officio Member.

ALBERT DEBENEDETTI
CHAIRMAN