# FINANCE & MANAGEMENT COMMITTEE REPORT NO. 4

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

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

Item Page -2004 (Comm. 1E-25)

a. **COMPTROLLER:** Sales & Use Tax Exemption – Parks, Recreation & Forestry for Period 1/1/00 - 9/10/03.

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

### **AS AMENDED**

2. Item Page -2004 (Comm. 1D-21)

## DIRECTOR OF 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 and

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

RESOLVED, that petitions numbered 204097 through 204120 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 2004 Petition No. 204097

ASSESSOR Cancel \$1,051.53

S-B-L 142.37-2-12 140900 LACKAWANNA

Acct. No. 112 \$1,051.53 County

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

Charge To: 140900 LACKAWANNA \$0.00

CANCEL- CLERICAL ERROR, PARCELS ACQUIRED BY THE CITY OF LACKAWANNA THROUGH FORCLOSURE. THE EXEMPTION WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR 2004 Petition No. 204098

ASSESSOR Cancel \$1,476.23

S-B-L 16.00-5-28.2

## **142289 AMHERST**

Acct. No. 112 \$0.00 County

Acct. No. 132 \$1,476.23 Town/SpecialDist/School

<u>Charge To:</u> 142289 AMHERST \$1,476.23

CANCEL - CLERICAL ERROR, THE GALLONAGE USED FOR THE CALCULATION OF THE SEWER TAX WAS INCORRECT. THE GALLONAGE USED WAS 90,580 AND SHOULD BE 8808. RPTL 550(2)E

FISCAL YEAR 2004 Petition No. 204099

ASSESSOR Cancel \$24.30

S-B-L 27.00-2-20 142289 AMHERST

Acct. No. 112 \$9.98 County

Acct. No. 132 \$14.32 Town/SpecialDist/School

Charge To: 142289 AMHERST \$14.32

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 108,000 AND SHOULD BE 105,800. RPTL 550(2)A

FISCAL YEAR 2004 Petition No. 204100

ASSESSOR Cancel \$451.22

S-B-L 28.02-9-45 142289 AMHERST

Acct. No. 112 \$158.77 County

Acct. No. 132 \$292.45 Town/SpecialDist/School

22029 SWORMSVILE FIRE PROTECTION \$47.54

<u>Charge To:</u> 142289 AMHERST \$244.91

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 142,000 AND SHOULD BE 107,000. RPTL 550(2)A

ASSESSOR Cancel \$132.77

S-B-L 41.07-2-12 142289 AMHERST

Acct. No. 112 \$61.23 County

Acct. No. 132 \$71.54 Town/SpecialDist/School

<u>Charge To:</u> 142289 AMHERST \$71.54

CANCEL - CLERICAL ERROR, THE DISABILITY VETERAN'S EXEMPTION IN THE AMOUNT OF 13,500 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR 2004 Petition No. 204103

ASSESSOR Cancel \$164.52

S-B-L 54.02-14-27.1/512 142289 AMHERST

Acct. No. 112 \$75.88 County

Acct. No. 132 \$88.64 Town/SpecialDist/School

<u>Charge To:</u> 142289 AMHERST \$88.64

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 16,725 WAS OMITTED FROM THE TAX ROLL. RPTL 5502(2)C

FISCAL YEAR 2004 Petition No. 204104

ASSESSOR Cancel \$738.25

S-B-L 67.06-3-20 142289 AMHERST

Acct. No. 112 \$0.00 County

Acct. No. 132 \$738.25 Town/SpecialDist/School

<u>Charge To:</u> 142289 AMHERST \$738.25

REFUND - CLERICAL ERROR, THIS PARCEL USES A PRIVATE CONTRACTOR AND SHOULD NOT BE CHARGED FOR REFUSE. RPTL 550(2)E CHECK FOR: R SKIROTKIN & W SHTARKER

ASSESSOR Refund \$672.27

S-B-L 68.14-7-26 142289 AMHERST

Acct. No. 112 \$0.00 County

Acct. No. 132 \$672.27 Town/SpecialDist/School

41854 BASIC STAR EXEMPTION \$672.27

Charge To: 142289 AMHERST \$0.00

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C AMHERST CENTRAL CHECK FOR: JOHN & MARIA WITKOWSKI

FISCAL YEAR 2004 Petition No. 204106

ASSESSOR Cancel \$118.47

S-B-L 80.08-6-37 142201 WILLIAMSVILLE

Acct. No. 112 \$49.91 County

Acct. No. 132 \$68.56 Town/SpecialDist/School

Charge To: 142201 WILLIAMSVILLE \$68.56

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 106,000 AND SHOULD BE 95,000. RPTL 550(2)A

FISCAL YEAR 2004 Petition No. 204107

ASSESSOR Cancel \$73.67

S-B-L 81.06-3-65 142201 WILLIAMSVILLE

Acct. No. 112 \$30.85 County

Acct. No. 132 \$42.82 Town/SpecialDist/School

<u>Charge To:</u> 142201 WILLIAMSVILLE \$42.82

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 88,900 AND SHOULD BE 78,900. RPTL 550(2)A

ASSESSOR Cancel \$150.00

S-B-L 81.12-3-10.1/8 (2 142289 AMHERST

Acct. No. 112 \$0.00 County

Acct. No. 132 \$150.00 Town/SpecialDist/School

<u>Charge To:</u> 142289 AMHERST \$150.00

CANCEL - CLERICAL ERROR, THIS PARCEL WAS CHARGED IN ERROR FOR THE SEWER PRE TREAT SURCHARGE. RPTL 550(2)E

FISCAL YEAR 2004 Petition No. 204109

ASSESSOR Cancel \$135.66

S-B-L 305.00-1-18 143889 CONCORD

Acct. No. 112 \$77.12 County

Acct. No. 132 \$58.54 Town/SpecialDist/School

<u>Charge To:</u> 143889 CONCORD \$58.54

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 18,656 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR 2004 Petition No. 204110

ASSESSOR Cancel \$275.83

S-B-L 307.00-2-48.21 143889 CONCORD

Acct. No. 112 \$194.60 County

Acct. No. 132 \$81.23 Town/SpecialDist/School

<u>Charge To:</u> 143889 CONCORD \$81.23

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 15,097 SHOULD BE ENTERED ON THE TAX ROLL AS 40,987. RPTL 550(2)B

ASSESSOR Cancel \$343.43

S-B-L 333.00-2-14 143889 CONCORD

Acct. No. 112 \$242.30 County

Acct. No. 132 \$101.13 Town/SpecialDist/School

<u>Charge To:</u> 143889 CONCORD \$101.13

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 32,236 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR 2004 Petition No. 204112

ASSESSOR Cancel \$79.09

S-B-L 336.01-1-9.11 143889 CONCORD

Acct. No. 112 \$55.80 County

Acct. No. 132 \$23.29 Town/SpecialDist/School

<u>Charge To:</u> 143889 CONCORD \$23.29

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 7,425 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR 2004 Petition No. 204113

ASSESSOR Cancel \$909.03

S-B-L 630.003-999-132. 143003 DEPEW

Acct. No. 112 \$198.45 County

Acct. No. 132 \$710.58 Town/SpecialDist/School

<u>Charge To:</u> 143003 DEPEW \$710.58

Relevy School \$488.09 145201 LANCASTER CENTRAL

CANCEL - CLERICAL ERROR, THIS PARCEL IS A DUPLICATE PARCEL. RPTL 550(2)F

ASSESSOR Cancel \$349.81

S-B-L 246.19-3-5 145000 HOLLAND

Acct. No. 112 \$166.88 County

Acct. No. 132 \$182.93 Town/SpecialDist/School

50020 HOLLAND FIRE DIST #1 \$51.64 50050 ERIE CO SEW DST 3 \$15.10

Charge To: 145000 HOLLAND \$116.19

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 44,000 AND SHOULD BE 10,000. RPTL 550(2)A

FISCAL YEAR 2004 Petition No. 204115

ASSESSOR Refund \$347.07

S-B-L 78.33-1-11 146489 TONAWANDA

Acct. No. 112 \$225.31 County

Acct. No. 132 \$121.76 Town/SpecialDist/School

<u>Charge To:</u> 146489 TONAWANDA \$121.76

REFUND - CLERICAL ERROR, THE INCORRECT SALE DATE IS USED IN THE CALCULATION FOR THE RPTL 520 TAX. CORRECT DATE 7/28/03 NOT 3/4/02. CHECK FOR: DEBORAH DOW

FISCAL YEAR 2004 Petition No. 204116

ASSESSOR Cancel \$1,420.48

S-B-L 192.16-5-34.1 144489 EVANS

Acct. No. 112 \$413.44 County

Acct. No. 132 \$1,007.04 Town/SpecialDist/School

44021 NORTH EVANS FIRE PROTECT \$156.64

Charge To: 144489 EVANS \$850.40

# CANCEL - CLERICAL ERROR, PARCEL IS A GROUP HOME . EXEMPTION FOR THIS PARCEL WAS OMITTED FROM THE TAX ROLL. RPTL 550(2(C

FISCAL YEAR 2004 Petition No. 204117

ASSESSOR Cancel \$870.39

S-B-L 250.13-4-40 144489 EVANS

Acct. No. 112 \$159.34 County

Acct. No. 132 \$711.05 Town/SpecialDist/School

44020 ANGOLA-EVANS FIRE PROTECT \$52.62

44070 ERIE CO SEW DST 2 \$34.06

<u>Charge To:</u> 144489 EVANS \$624.37

Relevy School \$431.22 144401 LAKE SHORE CENTRAL

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 22,000 AND SHOULD BE 3,600. RPTL 550(2)A

FISCAL YEAR 2004 Petition No. 204118

ASSESSOR Cancel \$657.53

S-B-L 250.07-2-14 144489 EVANS

Acct. No. 112 \$120.36 County

Acct. No. 132 \$537.17 Town/SpecialDist/School

44020 ANGOLA-EVANS FIRE PROTECT \$39.75

44070 ERIE CO SEW DST 2 \$25.74

<u>Charge To:</u> 144489 EVANS \$471.68

Relevy School \$325.76 144401 LAKE SHORE CENTRAL

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 15,500 AND SHOULD BE 1,600. RPTL 550(2)A

FISCAL YEAR 2004 Petition No. 204119

ASSESSOR Cancel \$8,103.81

S-B-L 220.00-1-1 144889 HAMBURG

Acet. No. 112 \$3,099.30 County

Acct. No. 132 \$5,004.51 Town/SpecialDist/School

<u>Charge To:</u> 144889 HAMBURG \$5,004.51

CANCEL - CLERICAL ERROR, THE EXEMPTION FOR A NON - PROFIT ORGANIZATION WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR 2004 Petition No. 204120

ASSESSOR Refund \$277.00

S-B-L 251.00-3-26.1 144489 EVANS

Acet. No. 112 \$0.00 County

Acct. No. 132 \$277.00 Town/SpecialDist/School

Charge To: 144489 EVANS \$277.00

REFUND - CLERICAL ERROR, THIS PARCEL DOES NOT USE GARBAGE SERVICE. THE GARBAGE TAX WAS PLACED ON PARCEL IN ERROR. RPTL 550(2)E CHECK FOR: MICHAEL & KELLIE CHIAVETTA (6-0) Chairman Holt present as Ex-Officio member.

3. Item Page -2004 (Comm. 6E-15)

# **COUNTY EXECUTIVE**

WHEREAS, Assembly Bill A. 9862 and Senate Bill S. 6125, now pending before the New York State Legislature, would authorize Erie County to offer an early retirement incentive to certain Erie County employees;

NOW THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

#### TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill A. 9862, entitled "AN ACT to provide a temporary retirement incentive for certain public employees within Erie County."

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Such request is made by the chief executive officer of such municipality, concurred with by a majority of the total membership of the local legislative body.

AND BE IT FURTHER RESOLVED, that the Clerk of the Legislature be directed to forward copies of this home rule request, certified by the Erie County Executive and the Clerk of the Erie County Legislature, two copies to the New York State Senate and two copies to the New York State Assembly.

WHEREAS, Senate Bill S. 6125 and Assembly Bill A. 9862, now pending before the New York State Legislature, would authorize Erie County to offer an early retirement incentive to certain Erie County employees;

NOW THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

### TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Senate Bill S. 6125, entitled "AN ACT to provide a temporary retirement incentive for certain public employees within Erie County."

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Such request is made by the chief executive officer of such municipality, concurred with by a majority of the total membership of the local legislative body.

AND BE IT FURTHER RESOLVED, that the Clerk of the Legislature be directed to forward copies of this home rule request, certified by the Erie County Executive and the Clerk of the Erie County Legislature, two copies to the New York State Senate and two copies to the New York State Assembly.

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

ALBERT DEBENEDETTI CHAIRMAN