

March 23, 2004

FINANCE & MANAGEMENT  
COMMITTEE  
REPORT NO. 5

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

1. RESOLVED, that the following item is hereby received, filed and referred to the HUMAN SERVICES COMMITTEE.

- a. Item Page -2004 (Comm. 6D-4)  
**SOCIAL SERVICES:** Copy of United Way Board Meeting Minutes.  
(6-0) Chairman Holt present as Ex-Officio member.

2. RESOLVED, that the following items are hereby received and filed.

- a. Item Page -2003 (Comm. 20E-57)  
**COUNTY EXECUTIVE:** OPEN ITEM: Labor Management Health Care Coalition.  
(6-0) Chairman Holt present as Ex-Officio member.

- b. Item Page -2004 (Comm. 1E-3)  
**DALE:** Request for Audit of County Furniture Purchase/Repeating Request for Audit of Credit/Fuel Cards.  
(6-0) Chairman Holt present as Ex-Officio member.

- c. Item Page -2003 (Comm. 1E-5)  
**COMPTROLLER:** Notice of Schedule to Close on Bond Sale Transactions.  
(6-0) Chairman Holt present as Ex-Officio member.

- d. Item Page -2004 (Comm. 4E-42)  
**COMPTROLLER:** Apportionment & Distribution of 4% Sales Tax Revenue for 1/04.  
(6-0) Chairman Holt present as Ex-Officio member.

- e. Item Page -2004 (Comm. 6D-1)  
**BUDGET, MANAGEMENT & FINANCE:** Letter to Legislator DeBenedetti Detailing Schedule of Tobacco Settlement Proceeds.  
(6-0) Chairman Holt present as Ex-Officio member.

- f. Item Page -2004 (Comm. 6D-5)  
**BUDGET, MANAGEMENT & FINANCE:** Letter to Legislator DeBenedetti Re: Request for Tobacco Settlement Proceeds Information.  
(6-0) Chairman Holt present as Ex-Officio member.

- g. Item Page -2004 (Comm. 6E-1)  
**COMPTROLLER:** Certificate of Determination Sale & Issuance of \$669,791 & \$442,468 Sewer System Serial Bonds.  
(6-0) Chairman Holt present as Ex-Officio member.

- Item Page -2004 (Comm. 6E-13)  
h. **COMPTROLLER:** Apportionment & Distribution of 4% Sales Tax for 2/04.  
(6-0) Chairman Holt present as Ex-Officio member.
- Item Page -2004 (Comm. 6E-16)  
i. **DEBENEDETTI:** Copy of Letter to Budget Director Re: Early Retirement Incentive.  
(6-0) Chairman Holt present as Ex-Officio member.
- Item Page -2004 (Comm. 6M-1)  
j. **ERIE COUNTY ASSESSORS ASSOCIATION:** Copy of Letter to Legislator Marinelli Re:  
Proposed Local Laws for Partial Property Tax Exemptions for Senior Citizens & the Disabled.  
(6-0) Chairman Holt present as Ex-Officio member.
- Item Page -2004 (Comm. 7D-4)  
k. **BUDGET, MANAGEMENT & FINANCE:** BMR for Period Ending 10/31/03.  
(6-0) Chairman Holt present as Ex-Officio member.
- Item Page -2004 (Comm. 7D-5)  
l. **DISS:** Fleet Services – 2003 Report.  
(6-0) Chairman Holt present as Ex-Officio member.
- Item Page -2004 (Comm. 7D-12)  
m. **BUDGET, MANAGEMENT & FINANCE:** Response to Legislator DeBenedetti's 3/1/04  
Letter Re: An Early Retirement Incentive.  
(6-0) Chairman Holt present as Ex-Officio member.
- Item Page -2004 (Comm. 7E-7)  
n. **DEBENEDETTI:** Copy of Letter to Senator Volker Requesting Status of S.6125 – Providing  
an Early Retirement Incentive to EC Employees.  
(6-0) Chairman Holt present as Ex-Officio member.
- Item Page -2004 (Comm. 7E-8)  
o. **DEBENEDETTI:** Copy of Letter to Assembly Majority Leader Tokasz Requesting Status of  
A9862 Providing an Early Retirement Incentive to EC Employees.  
(6-0) Chairman Holt present as Ex-Officio member.
- Item Page -2004 (Comm. 7E-12)  
p. **DEBENEDETTI:** Copy of Letter to Budget Director Re: Questions Related to an Early  
Retirement Incentive.  
(6-0) Chairman Holt present as Ex-Officio member.
- Item Page -2004 (Comm. 7M-5)  
q. **CITIZEN SALARY REVIEW COMMISSION:** 2004 Final Report.  
(6-0) Chairman Holt present as Ex-Officio member.

3. Item Page -2004 **AS AMENDED**  
(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 204121 through 204137 inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable towns and/or cities.

<b>FISCAL YEAR</b> 2004	Petition No.	<b>204121</b>
ASSESSOR	<b>Cancel</b>	\$321.26
<b>S-B-L</b>	26.03-2-8.112	<b>142289 AMHERST</b>
Acct. No. 112	\$108.88	County
Acct. No. 132	\$212.38	Town/SpecialDist/School
22026 AMHERST # 9 FIRE PROTECTION	\$24.23	
<b>Charge To :</b>	<b>142289 AMHERST</b>	<b>\$188.15</b>

CANCEL - CLERICAL ERROR, THIS IS A ROAD IN THE TOWN OF AMHERST.  
RPTL 550(2)A

<b>FISCAL YEAR</b> 2004	Petition No.	<b>204122</b>
ASSESSOR	<b>Cancel</b>	\$51,705.69
<b>S-B-L</b>	55.01-1-1	<b>142289 AMHERST</b>
Acct. No. 112	\$0.00	County
Acct. No. 132	\$51,705.69	Town/SpecialDist/School
22591 SAN TRK SEWER	\$51,705.69	
<b>Charge To :</b>	<b>142289 AMHERST</b>	<b>\$0.00</b>

CANCEL - CLERICAL ERROR, INCORRECT SANITARY SEWER TAX. GALLONAGE BILLED WAS 232,948 AND SHOULD BE 10120. RPTL 550(2)E

<b>FISCAL YEAR</b> 2001	Petition No.	<b>204123</b>
ASSESSOR	<b>Refund</b>	\$563.10

**S-B-L** 56.62-1-1./45G8 **142289 AMHERST**

Acct. No. 112 \$0.00 County  
 Acct. No. 132 \$563.10 Town/SpecialDist/School  
 41854 BASIC STAR EXEMPTION \$563.10  
**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  
 CHECK FOR: MARIE PULLMAN WILLIAMSVILLE CENTRAL

**FISCAL YEAR**2001 Petition No. **204124**

ASSESSOR **Cancel** \$371.28

**S-B-L** 68.05-2-42 **142289 AMHERST**

Acct. No. 112 \$0.00 County  
 Acct. No. 132 \$371.28 Town/SpecialDist/School  
 41854 BASIC STAR EXEMPTION \$371.28  
**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  
 CHECK FOR: DAVID J BIELECKI SWEET HOME CENTRAL

**FISCAL YEAR**2002 Petition No. **204125**

ASSESSOR **Refund** \$380.90

**S-B-L** 68.05-2-42 **142289 AMHERST**

Acct. No. 112 \$0.00 County  
 Acct. No. 132 \$380.90 Town/SpecialDist/School  
 41854 BASIC STAR EXEMPTION \$380.90  
**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  
 CHECK FOR: DAVID BIELECKI SWEET HOME CENTRAL

**FISCAL YEAR**2003 Petition No. **204126**

ASSESSOR **Refund** \$423.51

**S-B-L** 68.05-2-42 **142289 AMHERST**

Acct. No. 112	\$0.00		County
Acct. No. 132	\$423.51	Town/SpecialDist/School	
41854	BASIC STAR EXEMPTION		\$423.51
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>		<b>\$0.00</b>

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

**FISCAL YEAR**2004      Petition No.      **204127**

ASSESSOR                              **Cancel**      \$1,652.54

**S-B-L**    81.02-3-44.11      **142289 AMHERST**

Acct. No. 112	\$762.14		County
Acct. No. 132	\$890.40	Town/SpecialDist/School	
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>		<b>\$890.40</b>

CANCEL - CLERICAL ERROR, THE IDA EXEMPTION IN THE AMOUNT OF 168,000 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C

**FISCAL YEAR**2003      Petition No.      **204128**

ASSESSOR                              **Refund**      \$180.40

**S-B-L**    125.29-1-14./8132      **142289 AMHERST**

Acct. No. 112	\$66.37		County
Acct. No. 132	\$114.03	Town/SpecialDist/School	
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>		<b>\$114.03</b>

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 9,175 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C

**FISCAL YEAR**      2004                              Petition No. **204129**

ASSESSOR                              **Cancel**      \$559.24

**S-B-L**    342.09-2-13.111      **143601 COLLINS**

Acct. No. 112	\$122.54		County
Acct. No. 132	\$436.70	Town/SpecialDist/School	
22591	SAN TRK SEWER		\$0.00
22591	SAN TRK SEWER		\$0.00
36020	COLLINS FIRE PROTECT		\$20.73

36020 COLLINS FIRE PROTECT \$20.73  
**Charge To :** 143601 GOWANDA \$395.24  
**Relevy School** \$315.49 047201 GOWANDA CENTRAL

CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY THE TOWN OF COLLINS  
AND  
IS MAKING IT WHOLLY EXEMPT FROM TAXES. RPTL 550(7)A

**FISCAL YEAR** 2003 Petition No. **204130**

**ASSESSOR** **Cancel** \$42.21

**S-B-L** 341.02-3-36 **143601 COLLINS**

Acct. No. 112 \$25.06 County  
Acct. No. 132 \$17.15 Town/SpecialDist/School  
**Charge To :** 143601 GOWANDA \$17.15

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF  
4,100 SHOULD BE 8,200. RPTL 550(2)B

**FISCAL YEAR** 2004 Petition No. **204131**

**ASSESSOR** **Cancel** \$164.99

**S-B-L** 322.00-1-13.211 **143889 CONCORD**

Acct. No. 112 \$116.40 County  
Acct. No. 132 \$48.59 Town/SpecialDist/School  
**Charge To :** 143889 CONCORD \$48.59

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT  
OF  
71,913 WAS OMITTED FROM THE TAX ROLL IN ERROR. RPTL 550(2)C

**FISCAL YEAR** 2004 Petition No. **204132**

**ASSESSOR** **Cancel** \$1,120.32

**S-B-L** 209.00-1-28.12 **144000 EDEN**

Acct. No. 112 \$579.83 County  
Acct. No. 132 \$540.49 Town/SpecialDist/School  
**Charge To :** 144000 EDEN \$540.49

CANCEL - CLERICAL ERROR, THE TEMPORARY GREENHOUSE EXEMPTION IN THE AMOUNT OF 108,400 WAS OMITTED FROM THE TAX ROLL. RPTL550(2)C

**FISCAL YEAR** 2004 **Petition No. 204133**

**ASSESSOR** **Cancel** \$143.21

**S-B-L** 208.00-4-20.1 **144000 EDEN**

Acct. No. 112 \$74.12 County

Acct. No. 132 \$69.09 Town/SpecialDist/School

**Charge To :** **144000 EDEN** **\$69.09**

CANCEL - CLERICAL ERROR, THE TEMPORARY GREENHOUSE EXEMPTION IN THE AMOUNT OF 13,920 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C

**FISCAL YEAR** 2004 **Petition No. 204134**

**ASSESSOR** **Cancel** \$45.66

**S-B-L** 208.00-4-20.1 **144000 EDEN**

Acct. No. 112 \$0.00 County

Acct. No. 132 \$45.66 Town/SpecialDist/School

**Charge To :** **144000 EDEN** **\$45.66**

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 9,264 SHOULD BE 18,464 FOR THE TOWN. RPTL 550(2)B

**FISCAL YEAR** 2004 **Petition No. 204135**

**ASSESSOR** **Cancel** \$132.71

**S-B-L** 209.00-4-12.11 **144000 EDEN**

Acct. No. 112 \$68.69 County

Acct. No. 132 \$64.02 Town/SpecialDist/School

**Charge To :** **144000 EDEN** **\$64.02**

CANCEL - CLERICAL ERROR, THE TEMPORARY GREENHOUSE WAS OMITTED IN THE AMOUNT OF 12,900 FROM THE TAX ROLL. RPTL 550(2)C

**FISCAL YEAR**2004 **Petition No. 204136**





RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to undertake the various capital projects as described in column A of the attached schedule, each as more fully described in column B of the attached schedule and the duly adopted 2004 Capital Budget for the County. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 2004 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The respective estimated maximum costs of (a) the specific objects or purposes set forth in rows 2 and 4 of the attached schedule, and (b) the classes of objects or purposes set forth in rows 1 and 3 of the attached schedule, including preliminary costs and costs incidental thereto and to the financing thereof, is set forth in column C of the attached schedule, and said respective amounts are hereby appropriated therefore pursuant to the duly adopted 2004 Capital Budget for the County. The plan of financing includes the issuance of \$5,385,100 aggregate principal amount of bonds of the County to finance said appropriations, the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the County in the respective principal amounts set forth in column C of the attached schedule are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law") to finance said appropriations.

Section 3. The respective periods of probable usefulness for said specific objects or purposes and classes of objects or purposes for which said \$5,385,100 bonds herein authorized are to be issued, within the limitations of § 11.00 a. of the Law, is set forth in column D of the attached schedule.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the respective specific objects or purposes and classes of objects or purposes described in Section 1 hereof, prior to the issuance of the bonds or bond anticipation notes herein authorized, out of any available funds of the County on an interim basis, which respective amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County pursuant to this Resolution, in the respective maximum amounts of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the respective amounts of bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.

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

**ALBERT DEBENEDETTI**  
**CHAIRMAN**