

April 11, 2019

FINANCE & MANAGEMENT COMMITTEE
REPORT NO. 7

ALL MEMBERS PRESENT.

CHAIR SAVAGE PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 5E-19 (2019)
LORIGO: “Letter to Commissioner of Department of Social Services Regarding Surplus Property”
(Chair’s Ruling)
 - b. COMM. 6E-2 (2019)
COUNTY CLERK: “RFP to Provide Zombie Property Outreach Services”
(Chair’s Ruling)
 - c. COMM 7E-1 (2019)
COMPTROLLER: “Report of Apportionment & Distribution of Net Collections of Sales Tax for EC from 12/18 – 2/19”
(Chair’s Ruling)
 - d. COMM 7E-23 (2019)
COUNTY EXECUTIVE: “Letter to Chair of Legislature Concerning Amendment to the EC Clerk’s Request for the Re-appropriation of 2018 Funds”
(Chair’s Ruling)
 - e. COMM 7D-3 (2019)
COMPTROLLER’S OFFICE: “Letter to Commissioner of Health Concerning Commencement of Audit of Lead Poisoning Primary Prevention Grant”
(Chair’s Ruling)
 - f. COMM 7D-4 (2019)
COMPTROLLER’S OFFICE: “Letter to Director of Bureau of Purchase Regarding Commencement of Audit of EC Division of Purchase”
(Chair’s Ruling)

- g. COMM 7D-5 (2019)
COMPTROLLER’S OFFICE: “Letter to Sheriff Concerning Commencement of Audit of EC Sheriff’s Office Commissary Fund”
(Chair’s Ruling)

- h. COMM 7M-6 (2019)
TOWN OF SARDINIA: “Certified Copy of Resolution Opposing Cuts to AIM”
(Chair’s Ruling)

2. COMM. 7E-29 (2019)
COUNTY CLERK
WHEREAS, the County Clerk is an independently elected official responsible for recording, filing and maintaining a central repository of legal documents and records affecting property titles, including land and real estate transactions; and

WHEREAS, the County Clerk, as an agent of the State, collects mortgage and real estate transfer taxes that are then apportioned between the State, State agencies, the County, and cities, towns and villages located within Erie County; and

WHEREAS, over 9,500 individuals in Erie County are ninety days or more in arrears on the mortgage payments and Lis Pendens filings in foreclosure actions has already increased approximately 150% for 2019; and

WHEREAS, a “Zombie Property” is a parcel improved by a one-to-four-family dwelling and abandoned by its occupants when a foreclosure action has been instituted against the property owner; and

WHEREAS, upon vacating the properties, the structures experience: damage from weather, scavenging, squatters, and criminal activity and the resulting deterioration creates nuisance conditions and can often affect the values of surrounding properties; and

WHEREAS, further, the prolonged foreclosure process clouds title to the property, making it difficult for municipalities to enforce code violations resulting from neglect; and

WHEREAS, a recent statewide initiative provides “invitation only” grant opportunities to communities throughout Erie County to combat zombie properties; however, several municipalities were excluded; and

WHEREAS, the Erie County Clerk recognizes that grappling with the blight of Zombie Properties transcends all communities and impacts all County taxpayers, regardless of the property location and believes this initiative will fill the much needed gap caused by exclusions under State funding; and

WHEREAS, the intended effect of combating Zombie Properties is to put them in a position for improvement and conveyance so there may be an increase in mortgage and transfer tax revenues, as well as securing value in the County's tax base; and

WHEREAS, the Erie County Clerk issued RFP #1919VF seeking proposers for Zombie Property Outreach Services, advertised in Amherst Bee and Buffalo Challenger, provided the RFP to several potential proposers; and

WHEREAS, one proposal was received which was reviewed by a committee which scored the proposal, reviewed the costs, contacted references and reviewed the past work of the proposer; and

WHEREAS, the committee determined Western New York Law Center, Inc. is a responsible and well regarded organization to perform the services; and

WHEREAS, the funds necessary to cover the costs of this contract are available if the Legislature approves Comm. 6E-20 (2019) that amends Comm. 24E-4 (2018).

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Clerk is hereby authorized to enter into a contract with Western New York Law Center, Inc., for zombie property outreach services; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive; the Director of the Division of Budget and Management; the County Attorney and the Erie County Clerk.

(6-0)

3. COMM. 7E-30 (2019)

COMPTROLLER

HOME RULE REQUEST-ASSEMBLY

WHEREAS, the County's authority to arrange for the underwriting of bonds or notes at private sale through negotiated agreement expires on June 30, 2019; and

WHEREAS, Assembly Bill A3697 and Senate Bill S4159 (attached), now pending before the New York State Legislature, would authorize extension of Erie County's authority to arrange for underwriting of bonds or notes at private sale through negotiated agreement through June 30, 2020.

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 A3697, entitled "AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie."

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 two copies of this home rule request, certified by the Erie County Executive and the Clerk of the Erie County Legislature, to both the New York State Assembly and the New York State Senate.

HOME RULE REQUEST-SENATE

WHEREAS, the County's authority to arrange for the underwriting of bonds or notes at private sale through negotiated agreement expires on June 30, 2019; and

WHEREAS, Senate Bill S4159 and Assembly Bill A3697 (attached), now pending before the New York State Legislature, would authorize extension of the County's authority to arrange for underwriting of bonds or notes at private sale through negotiated agreement through June 30, 2020.

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 S4159, entitled "AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie."

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 two copies of this home rule request, certified by the Erie County Executive and the Clerk of the Erie County Legislature, to both the New York State Senate and the New York State Assembly.

(6-0)

BARBARA MILLER-WILLIAMS
CHAIR