

September 19, 2019

FINANCE & MANAGEMENT COMMITTEE
REPORT NO. 11

ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby tabled by a majority vote:
 - a. COMM.18E-24 (2019)
COUNTY EXECUTIVE: “Transfer of Surplus County Owned Parcels”
(6-0)
2. RESOLVED, the follow items are hereby received and filed:
 - a. COMM. 16E-1 (2019)
COUNTY EXECUTIVE: “Letter to Legislature Regarding Appointment of Acting Director of Real Property Tax Services”
(Chair’s Ruling)
 - b. COMM. 16M-3 (2019)
ASSIGNED COUNSEL PROGRAM: “Quarterly Report for Second Quarter of 2019”
(Chair’s Ruling)
 - c. COMM. 16M-4 (2019)
ASSIGNED COUNSEL PROGRAM: “Financial Report & Cash Basis for the Period 01/01/2019 – 12/30/2019”
(Chair’s Ruling)
 - d. COMM. 18E-2 (2019)
COMPTROLLER: “EC’s Federal Financial Assistance Audit Report for 2018”
(Chair’s Ruling)
 - e. COMM. 18E-3 (2019)
COMPTROLLER: “EC 2018 Comprehensive Annual Financial Report”
(Chair’s Ruling)
 - f. COMM. 18E-4 (2019)
COMPTROLLER: “EC’s NYSDOT Single Audit Report for 2018”
(Chair’s Ruling)

- g. COMM. 18E-7 (2019)
COMPTROLLER: “EC Financial Report for Second Quarter 2019”
(Chair’s Ruling)
 - h. COMM. 18E-13 (2019)
COMPTROLLER: “Accounting Expenses from Risk Retention Fund – 03/2019 - 07/2019”
(Chair’s Ruling)
 - i. COMM. 18E-17 (2019)
DIXON: “Letter to NYS Comptroller Regarding Request for Audit of Tesla’s Riverbend Factory”
(Chair’s Ruling)
 - j. COMM. 18D-12 (2019)
DIRECTOR OF BUDGET & MANAGEMENT: “Budget Monitoring Report for Period Ending 6/19”
(Chair’s Ruling)
 - k. COMM. 18M-3 (2019)
NYS ASSOCIATION OF COUNTIES: “Revenues & Expenditure Report for EC”
(Chair’s Ruling)
 - l. COMM. 18M-13 (2019)
NYS DEPARTMENT OF TAXATION & FINANCE: “List of Certified 2019 State Equalization Rates”
(Chair’s Ruling)
3. COMM. 3D-1 (2019)
DIRECTOR OF REAL PROPERTY TAX SERVICES AS AMENDED
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 investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 219071 through 219086, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities:

FISCAL YEAR	2019	Petition No.	219,071.00
	ASSESSOR	Refund	\$1,977.08
S-B-L	110.59-1-3.2/207	207 Portside	140200 BUFFALO
	Acct. No. 112		\$1,977.08 County
	Acct. No. 132		\$0.00
	Town/SpecialDist/School		
<u>Charge To :</u>	140200 BUFFALO		\$0.00

RPTL 550(2): Failed to apply condo exemption
Refund to be issued to Paul S. D'Orazio

FISCAL YEAR	2018	Petition No.	219,072.00
	ASSESSOR	Refund	\$1,924.09
S-B-L	110.59-1-3.2/207	207 Portside	140200 BUFFALO
	Acct. No. 112		\$1,924.09 County
	Acct. No. 132		\$0.00
	Town/SpecialDist/School		
<u>Charge To :</u>	140200 BUFFALO		\$0.00

RPTL 550(2): Failed to apply condo exemption
Refund to be issued to Paul S. D'Orazio

FISCAL YEAR	2017	Petition No.	219,073.00
	ASSESSOR	Refund	\$1,741.32
S-B-L	110.59-1-3.2/207	207 Portside	140200 BUFFALO
	Acct. No. 112		\$1,741.32 County
	Acct. No. 132		\$0.00
	Town/SpecialDist/School		
<u>Charge To :</u>	140200 BUFFALO		\$0.00

RPTL 550(2): Failed to apply condo exemption
Refund to be issued to Paul S. D'Orazio

FISCAL YEAR	2018	Petition No.	219,074.00
	ASSESSOR	Cancel	\$962.24
S-B-L	142.37-5-26	42 Nelson	140900 LACKAWANNA
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$962.24
	Town/SpecialDist/School		
	9992 ECSD#6 SAN SEWER	\$962.24	
<u>Charge To :</u>	140900 LACKAWANNA		\$0.00

RPTL 550(2): Applied sewer district in error
New tax bill to be issued.

FISCAL YEAR	2019	Petition No.	219,075.00
	ASSESSOR	Cancel	\$59.40
S-B-L	Multiple	Multiple	142889 BRANT
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$59.40
	Town/SpecialDist/School		
<u>Charge To :</u>	142889 BRANT		\$59.40
	Relevy School		\$59.40 064601 SILVER

CRK CENTRAL

RPTL 550(2): Incorrect assessments
New tax bills to be issued.

FISCAL YEAR	2019	Petition No.	219,076.00
	ASSESSOR	Cancel	\$789.80
S-B-L	Multiple	Multiple	142889 BRANT
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$789.80
	Town/SpecialDist/School		
<u>Charge To :</u>	142889 BRANT		\$789.80

Relevy School \$789.80 145801 NORTH
 COLLINS CENT

RPTL 550(2): Incorrect assessments
 New tax bills to be issued.

FISCAL YEAR 2019 Petition No. 219,077.00

S-B-L Multiple ASSESSOR Cancel \$1,824.03
 Multiple Multiple 142889 BRANT

Acct. No. 112 \$0.00 County
 Acct. No. 132 \$1,824.03
 Town/SpecialDist/School
Charge To : 142889 BRANT \$1,824.03
 Relevy School \$1,824.03 144401 LAKE

SHORE CENTRAL

RPTL 550(2): Incorrect assessments
 New tax bills to be issued.

FISCAL YEAR 2019 Petition No. 219,078.00

S-B-L 350.00-3-10.522 V/L Gowanda Zoar 143689 COLLINS ASSESSOR Cancel \$17.55

Acct. No. 112 \$9.45 County
 Acct. No. 132 \$8.10
 Town/SpecialDist/School
 36001 Library Tax \$0.32
 36021 ROSENBERG FIRE PROTECTION \$1.84
 36023 HELMOUTH FIRE DISTRICT \$0.22
Charge To : 143689 COLLINS \$5.72

RPTL 550(2): Duplicate parcel
 New tax bill to be issued.

FISCAL YEAR 2019 Petition No. 219,079.00

ASSESSOR Cancel \$24.00

S-B-L 182.10-3-37 Cedar Valley Way 144889 HAMBURG

Acct. No. 112 \$0.00 County
 Acct. No. 132 \$24.00
 Town/SpecialDist/School

48116 ECSD 3 CH2 \$24.00
Charge To : 144889 HAMBURG \$0.00

RPTL 550(2): Incorrect footage used to calculate sewer district.
 New tax bill to be issued.

FISCAL YEAR 2019 Petition No. 219,080.00

S-B-L Multiple ASSESSOR Cancel \$1,218.39
 Multiple Multiple 145289 LANCASTER

Acct. No. 112 \$0.00 County
 Acct. No. 132 \$1,218.39
 Town/SpecialDist/School
Charge To : 145289 LANCASTER \$1,218.39
 Relevy School \$1,218.39 145201

LANCASTER CENTRAL

RPTL 550(2): Duplicate parcels
 New tax bills to be issued.

FISCAL YEAR 2019 Petition No. 219,081.00

S-B-L 272.00-4-4.121 10759 Fox Ave 145889 NORTH COLLINS ASSESSOR Cancel \$2,262.33

Acct. No. 112 \$973.17 County
 Acct. No. 132 \$1,289.16
 Town/SpecialDist/School
 58019 NO COLLINS FIRE DIST \$188.60
Charge To : 145889 NORTH COLLINS \$1,100.56

RPTL 550(2): Duplicate parcel
 New tax bill to be issued.

FISCAL YEAR	2018	Petition No.	219,082.00
	ASSESSOR	Refund	\$3,260.56
S-B-L	272.00-4-4.121	10759 Fox Ave	145889 NORTH COLLINS
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$3,260.56
	Town/SpecialDist/School		
<u>Charge To :</u>	145889 NORTH COLLINS		\$3,260.56
	Relevy School		\$3,260.56 145801 NORTH

COLLINS CENT

RPTL 550(2): Duplicate parcel
 Refund to be issued to Daryl R & Donald E Fox.

FISCAL YEAR	2019	Petition No.	219,083.00
	ASSESSOR	Cancel	\$1,241.05
S-B-L	272.00-4-4.122	V/L Fox Ave	145889 NORTH COLLINS
	Acct. No. 112		\$382.99 County
	Acct. No. 132		\$858.06
	Town/SpecialDist/School		
	58019 NO COLLINS FIRE DIST	\$74.22	
	58200 Exemption Removal	\$418.16	
<u>Charge To :</u>	145889 NORTH COLLINS		\$365.68

RPTL 550(2): Duplicate parcel
 New tax bill to be issued.

FISCAL YEAR	2018	Petition No.	219,084.00
	ASSESSOR	Refund	\$1,773.51
S-B-L	272.00-4-1.122	V/L Fox Ave	145889 NORTH COLLINS
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$1,773.51
	Town/SpecialDist/School		
<u>Charge To :</u>	145889 NORTH COLLINS		\$1,773.51

		Relevy School	\$1,773.51	145801 NORTH
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COLLINS CENT

RPTL 550(2): Duplicate parcel
 Refund to be issued to Daryl R & Donald E Fox.

FISCAL YEAR	2018	Petition No.	219,085.00
	ASSESSOR	Refund	\$696.81
S-B-L	271.00-4-1.112	10428 Sisson Hwy	145889 NORTH COLLINS
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$696.81
	Town/SpecialDist/School		
<u>Charge To :</u>	145889 NORTH COLLINS		\$696.81
	Relevy School		\$696.81 145801 NORTH

COLLINS CENT

RPTL 550(2): Failed to apply Ag exemption
 Refund to be issued to James Arrigo.

FISCAL YEAR	2019	Petition No.	219,086.00
	ASSESSOR	Refund	\$1,322.46
S-B-L	52.18-1-25.2/A	200 Cooper Ave	146489 TONAWANDA
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$1,322.46
	Town/SpecialDist/School		
<u>Charge To :</u>	146489 TONAWANDA		\$1,322.46

RPTL 550(2): Incorrect units used to calculate special districts
 Refund to be issued to Great Lakes Orthodontics LTD

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.
 (6-0)

4. COMM. 16E-6 (2019)
COUNTY EXECUTIVE

WHEREAS, the Legal Aid Bureau of Buffalo Inc. contracts with Erie County to provide State-mandated indigent legal defense services for income eligible residents of Erie County mainly in the City of Buffalo; and

WHEREAS, the Legal Aid Bureau of Buffalo has an audited 2017 general fund surplus of \$89,267.66 and a 2018 deficit of \$78,705.75; and

WHEREAS, the 2018 shortfall is due to a withdrawal of State grant funding that also provided mandated defense services; and

WHEREAS, the County Division of Budget and Management has been working with the agency to monitor this issue; and

WHEREAS, the County contract with said agency allows for retention of any operating surplus in the next fiscal year, subject to approval of the Legislature; and

WHEREAS, the Legal Aid Bureau will utilize a portion of their 2017 surplus to offset their 2018 deficit and return the net balance to the county.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the Legal Aid Bureau of Buffalo Inc., to retain a portion of their 2017 general fund surplus of \$89,267.66 in the amount of \$78,705.75, to offset their 2018 deficit for the Indigent Defense Program and to return the balance of \$10,561.91 to the County; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Attorney, the Office of the Comptroller, the County Executive's Office and the Division of Budget and Management.
(6-0)

5. COMM. 18E-30 (2019)
COUNTY EXECUTIVE

WHEREAS, the New York State Office of Indigent Legal Services will provide a three year grant totaling \$48,961,972.83 to the County for the provision of indigent defense services; and

WHEREAS, Erie County will contract with the Erie County Bar Association's Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo to deliver the services required through the grant.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract with the State of New York Office of Indigent Legal Services, in the amount of \$48,961,972.83 over five years from April 1, 2018 to March 31, 2023 to implement the Hurrell-Harring settlement reforms and provide enhanced representation to indigent defendants; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into five year subcontracts with the Erie County Bar Association Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo to deliver said services from April 1, 2018 to March 31, 2023; and be it further

RESOLVED, that authorization is provided to establish grant funding in the County Attorney's Office as follows:

Erie County Attorney's Office
ILS Statewide Expansion of Hurrell-Harring
Fund 281 Grant #160HHEXPILS1823
April 1, 2018 to March 31, 2023

Revenue	Increase
Account 409000 - State Aid Revenue	\$48,961,972.83
Appropriation	Increase
Account 516601 - Legal Aid Bureau	\$13,927,642.81
Account 516602 - EC Bar Association	<u>35,034,330.02</u>
Total Appropriation	\$48,961,972.83

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by changes to the grantor award, provided there are no changes to authorized personnel levels and county share amounts; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Attorney, the Office of the Comptroller, the County Executive's Office and the Division of Budget and Management.
(6-0)

6. COMM. 18E-43 (2019)
DISTRICT ATTORNEY AS AMENDED

WHEREAS, New York State recently passed a number of legislative criminal reform measures that significantly impact the obligations and duties of the Office of the District Attorney effective January 1, 2020; and

WHEREAS, the introduction of body worn cameras by local law enforcement agencies has resulted in an increased burden with regards to the collection, viewing, redaction and dissemination of digital evidence; and

WHEREAS, appropriate staffing levels are necessary to ensure the success of these additional mandates; and

WHEREAS, sufficient time is needed to recruit, hire and train additional staff in order to comply by the January 1, 2020 mandates; and

WHEREAS, the funds necessary to effectuate the following personnel additions are available in the District Attorney's 2019 appropriations.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the creation of one (1) position of Lead Discovery Expeditor in the managerial confidential class (JG 12) in Fund Center 11400 (B100 #11569); and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the creation of ten (10) positions of Senior Clerk Typist in the CSEA bargaining unit (JG 4) in Fund Center 11400 (B100 #11570); and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the creation one (1) position of Paralegal in the CSEA bargaining unit (JG 5) in Fund Center 11400 (B100 #11591); and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the creation one (1) position of Assistant Confidential Aide – DA in the CSEA bargaining unit (JG 4) in Fund Center 11400 (B100 #11592); and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the creation of one (1) position of Assistant District Attorney IV in the managerial confidential class (JG 15) in Fund Center 11400 (B100 #11593); and be it further

RESOLVED, that the Director of Budget and Management and Commissioner of Personnel are hereby authorized to make the necessary budgetary and personnel adjustments to effectuate these changes effective October 1, 2019; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Executive, Erie County Personnel and the Director of Budget and Management.
(6-0)

JOHN BRUSO
CHAIR