

April 7, 2003

FINANCE & MANAGEMENT
COMMITTEE
REPORT NO. 5

ALL MEMBERS PRESENT EXCEPT LEGISLATORS RANZENHOFER & FALKNER.
CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, that the following items are received and filed.

Item Page -2003 (Comm. 5E-5)
a. **COMPTROLLER:** Request for a 12/02 BMR & Forecast of 2002 Operations.
(4-0) Legislators Ranzenhofer and Falkner absent. Chairman Swanick present as Ex-Officio Member.

Item Page -2003 (Comm. 6E-15)
b. **COUNTY EXECUTIVE:** Available Balances as of 12/31/02 that have been Reappropriated in 2003 Budget.
(4-0) Legislators Ranzenhofer and Falkner absent. Chairman Swanick present as Ex-Officio Member.

Item Page -2003 (Comm. 7E-5)
c. **COMPTROLLER:** Apportionment & Distribution of 4% Sales Tax for 3/03.
(4-0) Legislators Ranzenhofer and Falkner absent. Chairman Swanick present as Ex-Officio Member.

Item Page -2003 (Comm. 7E-19)
d. **COUNTY EXECUTIVE:** Amendment to Various 2003 Town & Special District Budgets.
(4-0) Legislators Ranzenhofer and Falkner absent. Chairman Swanick present as Ex-Officio Member.

2. Item Page -2003 **AS AMENDED**
BUDGET, MANAGEMENT & FINANCE
(Comm. 2D-13)

A

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 **203203** through **203204** inclusive be hereby **denied** based upon the recommendation of the Director of Real Property Services and be charged back to the applicable towns and / or cities.

FISCAL YEAR 2000 Petition No. **203203**

ASSESSOR **Refund** \$6,965.67

S-B-L 67.06-1-18

142289 AMHERST

Acct. No. 112	\$0.00	County
Acct. No. 132	\$6,965.67	Town/SpecialDist/School

Charge To : **142289 AMHERST** **\$6,965.67**

REFUND - CLERICAL ERROR, THIS PARCEL WAS OVERCHARGED ON THE SPECIAL DISTRICTS FOR SEWER TAX. RPTL 550(2)E
CHECK FOR: AMHERST INDUSTRIES INC

THE DIRECTOR OF REAL PROPERTY TAX SERVICES, JOSEPH MACIEJEWSKI HAS DETERMINED THAT THIS PETITION BE DENIED. NEW YORK REAL PROPERTY TAX LAW REQUIRES THAT AN APPLICATION TO REFUND BE FILED WITHIN 3 YEARS OF THE ANNEXATION OF THE TAX WARRANT. THIS APPLICATION WAS RECEIVED ON MARCH 27, 2003. IN ACCORDANCE WITH RPTL 556 THE APPLICATION HAD TO BE RECEIVED BY FEBRUARY 3, 2003.

FISCAL YEAR 1999/2000 **Petition No.** **203204**

Refund \$207.67

S-B-L

Acct. No. 112	\$0.00	County
Acct. No. 132		Town/SpecialDist/School
41854 BASIC STAR EXEMPTION	\$207.67	

Charge To : **N.Y.S. BASIC STAR EXEMP** **\$207.67**

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 7,200 WAS OMITTED FROM THE TAX BILL. RPTL 550(2)C
CHECK FOR: TIMOTHY & MAUREEN HENDERSON

THE DIRECTOR OF REAL PROPERTY TAX SERVICES, JOSEPH MACIEJEWSKI HAS DETERMINED

THAT THIS PETITION BE DENIED. NEW YORK REAL PROPERTY TAX LAW REQUIRES THAT AN APPLICATION TO REFUND BE FILED WITHIN 3 YEARS OF THE ANNEXATION OF THE TAX

WARRANT. THIS APPLICATION WAS RECEIVED ON FEBRUARY 26, 2003. IN ACCORDANCE WITH RPTL 556 THE APPLICATION HAD TO BE RECEIVED BY SEPTEMBER 14, 2002.

(4-0) Legislators Ranzenhofer and Falkner absent. Chairman Swanick present as Ex-Officio Member.

B

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 **203205** through **203213** 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	2003	Petition No.	203205
	ASSESSOR	Refund	\$334.67
S-B-L	42.11-2-15.12	142289 AMHERST	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$334.67	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST	\$334.67	
	Relevy School	\$302.87	142203 WILLIAMSVILLE CENT

REFUND - CLERICAL ERROR, THE RELEVY SCHOOL TAX SHOULD BE ON SBL 42.11-2-15.12. RPTL 550(2)I
CHECK FOR: JAMES & MARIA BINNER

FISCAL YEAR 2001 **Petition No.** **203206**

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 31,800 AND SHOULD BE 28,000.
RPTL 550(2)A

FISCAL YEAR 2002 Petition No. **203212**

 ASSESSOR **Refund** \$611.66

S-B-L 129.00-15-23 **145400 MARILLA**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$611.66	Town/SpecialDist/School
<u>Charge To :</u>	145400 MARILLA		\$611.66
	Relevy School	\$611.66	

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY THE ASSESSMENT WAS 131,900 AND SHOULD BE 113,800. RPTL 550(2)A
CHECK FOR: CARL & JEAN CLARK

FISCAL YEAR 2003 Petition No. **203213**

 ASSESSOR **Cancel** \$183.52

S-B-L 129.00-15-23 **145400 MARILLA**

	Acct. No. 112	\$139.37	County
	Acct. No. 132	\$44.15	Town/SpecialDist/School
	24020 AURORA # 1 FIRE PROTECTION	\$9.01	
	54019 MARILLA FIRE PROTECT	\$26.71	
<u>Charge To :</u>	145400 MARILLA		\$8.43

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 131,900 AND SHOULD BE 113,800.
RPTL 550(2)A

(4-0) Legislators Ranzenhofer and Falkner absent. Chairman Swanick present as Ex-Officio Member.

3. Item Page -2003 (Comm. 6E-10)

COUNTY EXECUTIVE

WHEREAS, Sycamore Street Housing, L.P. will develop housing for homeless, chronically mentally ill individuals, pursuant to Section 57.7 of Article XI of the New York Private Housing Finance Law; and

WHEREAS, the Project is located at 923 Sycamore Street, Buffalo, New York and contains 24 single room occupancy units for homeless, chronically mentally ill individuals; and

WHEREAS, 923 Sycamore Street will be managed by Cazenovia Recovery Systems, Inc.; and

WHEREAS, in order to make the Project economically feasible for Sycamore Street Housing L.P., it is necessary to obtain tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu Of Taxes (PILOT) Agreement with Sycamore Street Housing, L.P. relating to the property located at 923 Sycamore Street, Buffalo, New York and all other Agreements necessary to conclude this Project; and be it further

RESOLVED, that said Agreement shall include a Payment In Lieu Of Taxes (PILOT) of \$2,857 the first year of the PILOT Agreement, with a three (3) percent increase annually thereafter for the balance of the fifteen years 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 Director of Budget and Management, the Commissioner of the Department of Environment and Planning, the County Comptroller, and the County Attorney.

(4-0) Legislators Ranzenhofer and Falkner absent. Chairman Swanick present as Ex-Officio Member.

4. Item Page -2003 (Comm. 6E-11)

COUNTY EXECUTIVE

WHEREAS, Urban Street Apartments, L.P. (USA) will develop housing for low income households, pursuant to Section 57.7 of Article XI of the New York Private Housing Finance Law; and

WHEREAS, the Project is located at 376 Urban Street, Buffalo, New York and contains 30 residential units for low income households; and

WHEREAS, 376 Urban Street will be managed by Broadway-Fillmore Neighborhood Housing Services, Inc.; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment In Lieu Of Taxes (PILOT) Agreement with Urban Street Apartments, L.P. relating to the property located at 376 Urban Street, Buffalo, New York and all other Agreements necessary to conclude this Project; and be it further

RESOLVED, that said Agreement shall include a Payment In Lieu Of Taxes (PILOT) of \$3,392.70 the first year of the PILOT Agreement, with a three (3) percent increase annually thereafter for the balance of the fifteen years 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 Director of Budget and Management, the Commissioner of the Department of Environment and Planning, the County Comptroller, and the County Attorney.

(4-0) Legislators Ranzenhofer and Falkner absent. Chairman Swanick present as Ex-Officio Member.

5. Item Page -2003 (Comm. 7E-12)

COUNTY EXECUTIVE

WHEREAS, St. Mary's Commons Apartments, L.P. (St. Mary's Commons) is developing housing for elderly individuals (Project) pursuant to Article XI of the New York State Private Housing Finance Law; and

WHEREAS, the project is located at 400 Mill Street, Amherst, New York and contains one hundred and one residential units for low and moderate income elderly individuals; and

WHEREAS, St. Mary's Commons Apartments will be managed by Whitney Management Corporation; and

WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and this PILOT is consistent with said policy; and

WHEREAS, in order to make the Project economically feasible for St. Mary's Commons Apartments, L.P., it is necessary to obtain tax relief from the County of Erie and the Town of Amherst.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a PILOT agreement with St. Mary's Commons relating to the property located at 400 Mill Street, Amherst, New York, and all other agreements necessary to conclude this Project; and be it further

RESOLVED, that said agreement shall include an annual PILOT of \$28,311 by St. Mary's Commons in the first year of the PILOT Agreement, with a three (3) percent increase annually thereafter for a fifteen 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 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.
(4-0) Legislators Ranzenhofer and Falkner absent. Chairman Swanick present as Ex-Officio Member.

6. Item Page -2003 (Comm. 7E-20)
COUNTY EXECUTIVE

WHEREAS, RPTL § 1537(4) authorizes municipalities which have adopted a resolution subject to permissive referendum providing a single appointed successor to enter into an agreement with a county for assessment services; and

WHEREAS, the TOWN OF GRAND ISLAND ("TOWN") has duly adopted a resolution authorizing such agreement in accordance with RPTL § 1537(4); and

WHEREAS, the TOWN has requested that the COUNTY OF ERIE ("COUNTY") enter into a municipal cooperation agreement with the TOWN pursuant to General Municipal Law Article 5-G whereby the COUNTY is willing to provide such services through an employee or personal services contractor of the Erie County Real Property Tax Service Office designated to act as the TOWN's sole assessor for the 2003 assessment year; and

WHEREAS, in consideration of the assessment services to be provided by the COUNTY hereunder, the TOWN agrees to pay the COUNTY the sum of \$ 17,808.20, which sum shall be paid to the COUNTY in four equal installments due on May 1, 2003, July 1, 2003, September 1, 2003, November 1, 2003; and

WHEREAS, in order to provide assessment services to the TOWN, the COUNTY shall engage the services of a New York State certified assessor and a New York State certified appraiser, both of whom have been selected pursuant to the RFP procedure found in § 19.08 of the Erie County Administrative Code.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to enter into a municipal cooperation agreement with the TOWN wherein the COUNTY will provide assessment services to the TOWN for the 2003 assessment year; and be it further

RESOLVED, that the Erie County Executive is authorized to enter into a personal services agreement with DAVID M. UNMACK, an independent contractor and New York State certified assessor, to assist the County in performing assessment services for the TOWN; and be it further

RESOLVED, that the COUNTY shall pay DAVID M. UNMACK for assessment services rendered hereunder the agreed rate of \$ 55.00 per hour, not to exceed a maximum aggregate of 250 hours (or \$ 13,750.00); and be it further

RESOLVED, that the Erie County Executive is authorized to enter into a personal services agreement with CHARLES L. SCHIFFLER, an independent contractor and New York State certified real property appraiser, to assist the County in performing assessment services for the TOWN; and be it further

RESOLVED, that COUNTY shall pay CHARLES L. SCHIFFLER the agreed rate of \$ 35.00 per hour, not to exceed a maximum aggregate of 50 hours (or \$ 1,750.00); and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Department of Law, the Erie County Real Property Tax Service Office, Division of Budget, Management and Finance, and the Office of the Comptroller.
(4-0) Legislators Ranzenhofer and Falkner absent. Chairman Swanick present as Ex-Officio Member.

7. Item Page -2003 (Comm. 7E-24)

COUNTY EXECUTIVE

WHEREAS, the following grant programs are included in Book B of the 2003 Adopted Budget, and

WHEREAS, the 2003 Adopted Budget resolutions require legislative approval for the County Executive to enter into contracts with grantor agencies for the purpose of receiving grants awarded or budgeted for fiscal 2003.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with grantor agencies for the purpose of receiving grants, following review and approval by the Director of Budget, Management and Finance with respect to the availability of State and/or Federal funds, for the following grant programs which commence on April 1, 2003:

Department	Grant Program	2003 Budget Book B <u>Page No.</u>
140 - District Attorney	Aid to Prosecution	25
140 - District Attorney	Multijurisdictional Program	25
140 - District	Comprehensive Assault, Abuse and Rape	27

Attorney	Unit (CAAR)	
650 - CPS	Aid to Crime Labs Program	67
650 - CPS	Aid to Law Enforcement Program	67
650 - CPS	Aid to Localities - Laboratory Funding	67
650 - CPS	DNA Lab Assistance Program	68
150 - Sheriff	Unified Court Security	87
260 - Probation	Juvenile Justice Title V Grant	104*
260 - Probation	Aid to Localities - Indigent Defense	104
260 - Probation	Anti-Drug Abuse Grant	104
260 - Probation	Juvenile Justice Formula Grant	104**
270 - Health	Public Health Preparedness/ Response to Bioterrorism	133***
270 - Health	Enhanced Drinking Water Protection Program	134
270 - Health	Healthy Heart Worksite Wellness	135
270 - Health	Comprehensive Community - Based Tobacco Control and Prevention Program	135**
270 - Health	Medical Examiner Toxicology Laboratory Aid	136
270 - Health	Western New York Coalition for Diabetes Prevention	136
270 - Health	Water Quality Program	137
270 - Health	Partners for Prevention	137
270 - Health	Immunization Action Plan	139
270 - Health	Women's Health Services	140

200 - Social Services	Legal Assistance to the Disabled	290
620 - Env. & Plg.	Home Rehabilitation Program	433
620 - Env. & Plg.	Community Development - 29th Year	433
* Begins 3/31/03		
** Begins 6/01/03		
*** Begins 5/01/03		

and be it further

RESOLVED, that the Director of Budget, Management and Finance is hereby authorized to adjust items of appropriations and revenues which may be impacted by decreases in Federal or State aid, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the following departments: Central Police Services, District Attorney, Sheriff, Probation, Health, Social Services, Law, Environment and Planning, the Office of the Comptroller and the Division of Budget, Management and Finance.

(4-0) Legislators Ranzenhofer and Falkner absent. Chairman Swanick present as Ex-Officio Member.

DALE W. LARSON
CHAIRMAN