

November 1, 2012

FINANCE & MANAGEMENT COMMITTEE
REPORT NO. 12

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 1D-7 (2012)

EC 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 212253 through 212270 , 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	2012	Petition No.	212,253.00
	ASSESSOR	Cancel	\$483.00

S-B-L	190.00-2-8.2	146600 WALES	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$483.00	Town/SpecialDist/School
<u>Charge To :</u>	146600 WALES	\$483.00	\$483.00
	Relevy School	\$483.00	144201 IROQUOIS

CENTRAL

RPTL 550(2): FAILED TO APPLY A BASIC STAR EXEMPTION
NEW TAX BILL TO BE ISSUE TO: SCOTT J MURRAY

FISCAL YEAR	2012	Petition No.	212,254.00
	ASSESSOR	Cancel	\$1,367.63

S-B-L 33.00-2-16 145689 NEWSTEAD

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,367.63	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD	\$1,367.63	\$1,367.63
	Relevy School	\$1,367.63	145601 AKRON

CENTRAL

RPTL 550(2): FAILED TO APPLY A ENHANCED & AGED EXEMPTION
NEW TAX BILL TO BE ISSUED TO: BETTY JANE GERSTUNG

FISCAL YEAR	2010	Petition No.	212,255.00
	ASSESSOR	Refund	\$67.88

S-B-L 184.09-2-12 146089 ORCHARD PARK

	Acct. No. 112	\$42.17	County
	Acct. No. 132	\$25.71	Town/SpecialDist/School
	52002 2009 COMM COLLEGE	\$0.10	
<u>Charge To :</u>	146089 ORCHARD PARK		\$25.61

RPTL 550(2): FAILED TO APPLY A LOW-INCOME SENIOR EXEMPTION
REFUND TO BE ISSUED TO: DAVID C & ELVA COHOON

FISCAL YEAR	2011	Petition No.	212,256.00
	ASSESSOR	Refund	\$68.57

S-B-L 184.09-2-12 146089 ORCHARD PARK

	Acct. No. 112	\$42.22	County
	Acct. No. 132	\$26.35	Town/SpecialDist/School
<u>Charge To :</u>	146089 ORCHARD PARK		\$26.35

RPTL 550(2): FAILED TO APPLY A LOW-INCOME SENIOR EXEMPTION
REFUND TO BE ISSUED TO: DAVID C & ELVA COHOON

FISCAL YEAR 2012 Petition No. 212,257.00
 ASSESSOR Refund \$278.24
 S-B-L 184.09-2-12 146089 ORCHARD PARK
 Acct. No. 112 \$169.36 County
 Acct. No. 132 \$108.88 Town/SpecialDist/School
Charge To : 146089 ORCHARD PARK \$108.88

RPTL 550(2): FAILED TO APPLY A LOW INCOME SENIOR EXEMPTION
 REFUND TO BE ISSUED TO: DAVID C & ELVA COHOON

FISCAL YEAR 2012 Petition No. 212,258.00
 ASSESSOR Refund \$415.00
 S-B-L 67.50-4-42 142289 AMHERST
 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$415.00 Town/SpecialDist/School
Charge To : 142289 AMHERST \$415.00
 Relevy School \$415.00 142207 SWEET HOME

CENTRAL

RPTL 550(2): FAILED TO APPLY A ENHANCED STAR EXEMPTION
 REFUND TO BE ISSUED TO: MILTON DETAMPLE

FISCAL YEAR 2012 Petition No. 212,259.00
 ASSESSOR Refund \$2,138.68
 S-B-L 84.06-4-21 143200 CLARENCE
 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$2,138.68 Town/SpecialDist/School
Charge To : 143200 CLARENCE \$2,138.68
 Relevy School \$2,138.68 143201 CLARENCE

CENTRAL

RPTL 550(2): FAILED TO APPLY AN AGED EXEMPTION
 REFUND TO BE ISSUED TO: JEANNE P KAY

FISCAL YEAR 2012 Petition No. 212,260.00
 ASSESSOR Refund \$444.00
 S-B-L 160.10-3-39.1 144889 HAMBURG
 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$444.00 Town/SpecialDist/School
Charge To : 144889 HAMBURG \$444.00
 Relevy School \$444.00 144804 FRONTIER

CENTRAL

RPTL 550(2): FAILED TO APPLY A BASIC STAR EXEMPTION
 REFUND TO BE ISSUED TO: BARRETT ESTATE OF BARBARA

FISCAL YEAR 2010 Petition No. 212,261.00
 ASSESSOR Refund \$300.35
 S-B-L 93.19-3-65 145289 LANCASTER
 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$300.35 Town/SpecialDist/School
 52499 EC4 FOOTG \$48.00
 52500 ERIE CO SEWER #4 \$87.35
 52501 ERIE CO SEW DIST 4 \$165.00
Charge To : 145289 LANCASTER \$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED TO THE TAX ROLL
 REFUND TO BE ISSUED TO: JOSEPH & IDALENE MUSCARELLA

FISCAL YEAR 2011 Petition No. 212,262.00
 ASSESSOR Refund \$296.12
 S-B-L 93.19-3-65 145289 LANCASTER

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$296.12	Town/SpecialDist/School
52499	EC4 FOOTG	\$48.00	
52500	ERIE CO SEWER #4	\$83.12	
52501	ERIE CO SEW DIST 4	\$165.00	
<u>Charge To :</u>		145289 LANCASTER	\$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED TO THE TAX ROLL
REFUND TO BE ISSUED TO: JOSEPH & IDALENE MUSCARELLA

FISCAL YEAR	2012	Petition No.	212,263.00
	ASSESSOR	Refund	\$320.81
S-B-L	93.19-3-65		145289 LANCASTER

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$320.81	Town/SpecialDist/School
52499	EC4 FOOTG	\$48.00	
52500	ERIE CO SEWER #4	\$102.81	
52501	ERIE CO SEW DIST 4	\$170.00	
<u>Charge To :</u>		145289 LANCASTER	\$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED TO THE TAX ROLL
REFUND TO BE ISSUED TO: JOSEPH & IDALENE MUSCARELLA

FISCAL YEAR	2010	Petition No.	212,264.00
	ASSESSOR	Refund	\$309.96
S-B-L	93.19-3-61		145289 LANCASTER

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$309.96	Town/SpecialDist/School
52499	EC4 FOOTG	\$61.20	
52500	ERIE CO SEWER #4	\$83.76	
52501	ERIE CO SEW DIST 4	\$165.00	

Charge To : 145289 LANCASTER \$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED TO THE TAX ROLL
REFUND TO BE ISSUED TO: DAVID & MICHELLE HOELZL

FISCAL YEAR	2011	Petition No.	212,265.00
	ASSESSOR	Refund	\$300.69
S-B-L	93.19-3-61		145289 LANCASTER

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$300.69	Town/SpecialDist/School
52499	EC4 FOOTG	\$61.20	
52500	ERIE CO SEWER #4	\$74.49	
52501	ERIE CO SEW DIST 4	\$165.00	
<u>Charge To :</u>		145289 LANCASTER	\$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED TO THE TAX ROLL
REFUND TO BE ISSUED TO: DAVID & MICHELLE HOELZL

FISCAL YEAR	2012	Petition No.	212,266.00
	ASSESSOR	Refund	\$323.34
S-B-L	93.19-3-61		145289 LANCASTER

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$323.34	Town/SpecialDist/School
52499	EC4 FOOTG	\$61.20	
52500	ERIE CO SEWER #4	\$92.14	
52501	ERIE CO SEW DIST 4	\$170.00	
<u>Charge To :</u>		145289 LANCASTER	\$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED TO THE TAX ROLL
REFUND TO BE ISSUED TO: DAVID & MICHELLE HOELZL

FISCAL YEAR	2012	Petition No.	212,267.00
	ASSESSOR	Refund	\$327.69
S-B-L	93.19-3-70	145289 LANCASTER	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$327.69	Town/SpecialDist/School
	52499 EC4 FOOTG	\$45.00	
	52500 ERIE CO SEWER #4	\$112.69	
	52501 ERIE CO SEW DIST 4	\$170.00	
<u>Charge To :</u>	145289 LANCASTER		\$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED TO THE TAX ROLL
REFUND TO BE ISSUED TO: JEFFREY & JEAN PENFOLD

FISCAL YEAR	2012	Petition No.	212,268.00
	ASSESSOR	Refund	\$1,425.72
S-B-L	44.19-2-31.1/A	143200 CLARENCE	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,425.72	Town/SpecialDist/School
<u>Charge To :</u>	143200 CLARENCE		\$1,425.72
	Relevy School	\$1,425.72	

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: NIAGARA FRONTIER SIKH SOC INC

FISCAL YEAR	2012	Petition No.	212,269.00
	ASSESSOR	Cancel	\$509.00
S-B-L	144.15-4-24	146800 WEST SENECA	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$509.00	Town/SpecialDist/School
<u>Charge To :</u>	146800 WEST SENECA		\$509.00

	Relevy School	\$509.00	146801 WEST SENECA
CENT			

RPTL 550(2): FAILED TO APPLY A BASIC STAR EXEMPTION
NEW TAX BILL TO BE ISSUED TO: WILLIAM & LAURA BOSINSKI

FISCAL YEAR	2012	Petition No.	212,270.00
	ASSESSOR	Refund	\$583.00
S-B-L	66.36-1-6	146489 TONAWANDA	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$583.00	Town/SpecialDist/School
<u>Charge To :</u>	146489 TONAWANDA		\$583.00
	Relevy School	\$583.00	146401 KEN-TON

UNION FREE

RPTL 550(2): FAILED TO APPLY A BASIC STAR EXEMPTION
REFUND TO BE ISSUED TO: SHEILA M CAMP

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.
(5-0)

2. COMM. 18E-6 (2012)
COUNTY EXECUTIVE

WHEREAS, the County has provided financial support to the Erie County Medical Center Corporation (ECMCC) since its creation as a public benefit corporation in 2004, and provided financial support to the Erie County Medical Center Healthcare Network before 2004, all of which has been essential to the mission of providing health services to the residents of Erie County regardless of their ability to pay; and

WHEREAS, the County and ECMCC entered into a Sale, Purchase and Operation Agreement effective January 1, 2004, as amended August 1, 2004 (the "SPOA"), providing for the ECMCC's purchase of certain buildings and improvements owned by the County and for the financial independence, increased flexibility, additional and alternate revenue streams and independent decision-making of ECMCC while intending that ECMCC continue as a general, municipal hospital serving the

health care needs of the residents of Western New York, including those of the underinsured and uninsured; and

WHEREAS, to resolve certain issues between the County and ECMCC that had given rise to litigation between the two, while leaving certain other issues to be resolved in the future, the Parties entered into a Consent Decree on February 24, 2006 as ordered by the Supreme Court of the State of New York, County of Erie (the "Consent Decree"); and

WHEREAS, over time, the County and ECMCC have developed a complex fiscal relationship requiring, among other things, that the County provide various supplemental Medicaid payments to ECMCC, which are matched dollar for dollar by the federal government called Disproportionate Share ("DSH") and Upper Payment Limit ("UPL"); and

WHEREAS, the 2006 Consent Decree acknowledged, among other things, (a) that certain issues relating to the Parties' fiscal relationship after January 1, 2010 that arose in the underlying litigation were left unresolved; (b) that the Parties were obligated by the Consent Decree to negotiate those issues in good faith with the intent of reaching an agreement; and (c) that the Parties were free to seek further judicial intervention to reach an agreement; and

WHEREAS, in 2009 and 2010 the County and ECMCC conducted extended negotiations and met with the New York State Supreme Court, County of Erie, as a part of the negotiation process to resolve and settle certain issues between them in accordance with law; and

WHEREAS, on March 25, 2010 the Erie County Legislature unanimously approved a Settlement Agreement between the County and ECMCC codifying and establishing certain County financial obligations, including a requirement that the County would pay ECMCC an annual subsidy payment totaling \$16.2 million, or make annual required DSH and UPL payments, whichever was higher; and

WHEREAS, these DSH and UPL payments have grown significantly, and the County and ECMCC have cooperated and developed a First Amendment to the Settlement Agreement to help relieve the pressure on the County's budget in 2013, 2014 and 2015.

NOW, THEREFORE, BE IT

RESOLVED, that the County Legislature does hereby ratify the First Amendment and authorizes the County to execute and deliver the negotiated First Amendment to the Settlement Agreement, subject to any necessary approvals; and be it further

RESOLVED, that the County Executive is hereby authorized to execute such related and

ancillary documents and agreements that the Erie County Attorney deems necessary or appropriate to effectuate the terms of the First Amendment to the Settlement Agreement, subject to any necessary approvals; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, County Attorney, Director of Budget and Management, the Comptroller and the Chief Executive Officer of the Erie County Medical Center Corporation.
(5-0)

TIMOTHY R. HOGUES
CHAIR