



ECLEG NOV19 13 4:10 05

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

November 19, 2013

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

**RE: Town of Tonawanda Request to Cancel Interest on Town Owned Property,
located at 175 Brompton Road.**

Dear Honorable Members:

The Town of Tonawanda, through its Town Attorney John J. Flynn, Esq., is requesting the cancellation of interest on property owned by the Town known as the Golf Dome located at 175 Brompton Road. In February of 2012, the Town allowed the lease to be cancel and re-leased the property to another tenant Clubs n' Such Inc. The Town approved cancelation of the original tenant, Pro Golf of Western New York, due to a serious illness within the organizations' management.

All taxes are paid in full other than for 2012. The Town has agreed to pay the County the base amount of \$9,572.55 and is requesting the cancellation of interest in the amount of \$3,674.66.

Should your honorable body require further information, I encourage you to contact the Director of Real Property Tax Service, Joseph L. Maciejewski. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz, Esq
Erie County Legislature

Enclosure
MCP/bb

cc: Joseph L. Maciejewski, Director of Real Property Tax Service

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Real Property Tax Service
Re: Town of Tonawanda Request to Cancel Interest on Town Owned Property,
located at 175 Brompton Road.
Date: November 19, 2013

SUMMARY

The Town of Tonawanda through its Town Attonrey John J. Flynn, Esq. is requesting the cancellation of interest on property owned by the Town known as the Golf Dome located at 175 Brompton Road. In February of 2012, the Town allowed the lease to be cancel and re-leased the property to another tenant Clubs n' Such Inc. The Town approved cancelation of the original tenant, Pro Golf of Western New York, due to a serious illness within the organizations' management.

FISCAL IMPLICATIONS

The County will be paid \$9,572.55

REASONS FOR RECOMENDATION

This parcel is owned by a municipal corporation, the Town of Tonawanda. When leased to a for profit entity, property taxes must be paid. It is recommended that your Honorable Body accept the payment in the amount of \$9,572.55 in satisfaction of the delinquent property taxes.

BACKGROUND INFORMATION

In February of 2012, the tenant Pro Golf of Western New York, became gravely ill and the Town allowed the lease to be cancel and re-leased the property to another tenant Clubs n' Such Inc. .

All taxes are paid in full other than the 2012; the Town has agreed to pay the County the base amount of \$9,572.55 and is requesting the cancellation of interest in the amount of \$3,674.66.

CONSEQUENCES OF NEGATIVE ACTION

The County will not be paid the base amount of \$9,572.55

STEPS FOLLOWING APPROVAL

Town of Tonawanda will make payment to Real Property Tax Services.

**A RESOLUTION SUBMITTED BY:
“Real Property Tax Services”**

RE: Town of Tonawanda Request to Cancel Interest on Town Owned Property, located at 175 Brompton Road.

WHEREAS, The Town of Tonawanda through its Town Attorney John J. Flynn, Esq. is requesting the cancellation of interest on property owned by the Town known as the Golf Dome located at 175 Brompton Road.; and

WHEREAS, In February of 2012, the owner/tenant of Pro Golf of Western New York, became gravely ill and the Town allowed the lease to be cancel and re-leased; and

WHEREAS, this parcel is owned by a municipal corporation, the Town of Tonawanda, and all taxes are paid in full other than the 2012, the Town has agreed to pay the County the base amount of \$9,572.55; and

WHEREAS, the Town has agreed to pay the County the base amount of \$9,572.55.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of Real Property Tax Services is authorized to accept as full payment from the Town of Tbnawanda, \$9,572.55 and is authorized to cancel interest in the amount of \$3,674.66, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, Director of Budget and Management, County Comptroller, County Attorney and Joseph Maciejewski, Director of Real Property Tax Services.