



# COUNTY OF ERIE

**MARK C. POLONCARZ**  
COUNTY EXECUTIVE

December 10, 2013

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

**IMMEDIATE CONSIDERATION REQUESTED**

**Re: Downtown Pedestrian/Transit Mall Special District  
Adoption of Mall District Service Charge Roll for 2014**

Dear Honorable Members:

Enclosed please find a proposed resolution and accompanying memorandum for approval for the adoption of the Downtown Pedestrian Transit Mall Special District Service Charge Roll for 2014.

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

Sincerely,

A handwritten signature in blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/bb  
Enclosure

cc: Joseph L. Maciejewski, CCD, Department of Real Property Tax Services

## **MEMORANDUM**

To: Honorable Members of the Erie County Legislature  
From: Real Property Tax Services  
Re: Downtown Pedestrian/Transit Mall Special District -  
Adoption of Mall District Service Charge Roll for 2014  
Date: December 3, 2013

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### **SUMMARY**

It is recommended that the Legislature approve the attached resolution providing for the adoption of the 2014 mall district service roll transmitted herewith as required by Erie County Local Law No. 8-1984.

### **FISCAL IMPLICATIONS**

Mall district service charges for 2014 in the sum of \$1,324,706 as previously determined by the Legislature, plus payment in lieu of \$18,000 and \$34,000, shall be assessed, due and be a lien upon properties within the mall district as of January 1, 2014. Service charges defray the cost of mall district services.

### **REASONS FOR RECOMMENDATION**

Adoption of the 2014 mall district service charge roll established by the Director of Real Property Tax Services is necessary for purposes of assessing and levying 2014 service charges for the downtown pedestrian/transit mall special district.

### **BACKGROUND INFORMATION**

The downtown pedestrian transit mall special district was established pursuant to special act of the State Legislature (L.1983, Ch. 673) and by Erie County Local Law No. 8-1984. The said laws authorize the annual assessment of service charges against properties located within the mall district. Following a public hearing held October 29, 2013 by Buffalo Place Inc. and on due notice to property owners within the district, the Legislature by adoption of Intro. 19-5 determined that the total amount to be raised by mall district service charges for 2014 would be the sum of \$1,324,706, plus a payment in lieu in the amount of \$52,000. The Director of Real Property Tax Services has now established a mall district service charge roll apportioning between benefited properties the total amount to be raised by mall district service charges for 2014. The mall district service charge roll must be adopted by the Legislature so that collections may take place during the ensuing fiscal year.

### **CONSEQUENCES OF NEGATIVE ACTION**

The downtown pedestrian/transit mall special district would be without operating funds and would be unable to provide mall services during 2014.

### **STEPS FOLLOWING APPROVAL**

Mall district service charge bills will be prepared and transmitted to property owners.

**A RESOLUTION SUBMITTED BY:  
REAL PROPERTY TAX SERVICES**

**RE: Downtown Pedestrian/Transit  
Mall Special District  
Adoption of Mall District  
Service Charge Roll for 2013**

WHEREAS, after a public hearing, held on October 29, 2013 by Buffalo Place Inc., and upon adoption of Intro 19-5, November 21, 2013, the Erie County Legislature determined that the total amount to be raised by mall district service charges for 2014 for the downtown pedestrian/transit mall special district shall be the sum of \$ 1,324,706, and

WHEREAS, the 2014 Mall District Budget requires that the amount to be raised by Mall District payments in lieu for 2014 for the downtown pedestrian/transit mall special district shall be the sum of \$ 52,000.00, and

WHEREAS, the Director of Real Property Tax Services has established the 2014 mall district service charge and payment in lieu roll apportioning the amount to be raised and has transmitted such roll to the Erie County Legislature for adoption.

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby adopt the mall district service charge and payment in lieu roll established by the Director of Real Property Tax Services for the purpose of assessing 2014 service charges for the downtown pedestrian/transit mall special district; and be it further

**RESOLVED**, that 2014 mall district service charges and payment in lieu amounts shall be assessed, due and a lien on benefited properties within the downtown pedestrian/transit mall special district on and as of January 1, 2014 and shall be payable to the Director of Real Property Tax Services as provided in Erie County Local Law No. 8-1984; and be it further

**RESOLVED**, that late fees shall be collected on payments made after the dates provided in Erie County Local Law No. 8-1984, and an interest budget line of \$10,000.00 shall be added to the Mall Budget for collection of these late fees; and be it further

**RESOLVED**, that the Director of Budget and Management is hereby authorized to establish the 2014 Downtown Mall Budget in the amount \$1,376,706 which includes \$1,324,706 for service charges, \$52,000 for payment in lieu, and \$10,000 for interest earnings; and be it further

**RESOLVED**, that the Director of Real Property Tax Services is hereby authorized to make adjustments and modifications as he deems appropriate; and be it further

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

PROPERTY NAME	PROP	LOCATION	SPECIAL CHG
LOT- PARKING	20	BROADWAY	\$797.31
ST PAUL'S CATHEDRAL	12	CHURCH	\$0.00
VERIZON BUILDING	46	CHURCH	\$17,437.00
LIBRARY	92	CLINTON	\$0.00
17 COURT BUILDING	17	COURT	\$2,873.02
COURT STREET PARKING LOT	30	COURT	\$895.68
ADAM RAMP	67	EAGLE EAST	\$0.00
FLOWER TRIANGLE AT RATH BLDG	53	EAGLE WEST	\$0.00
MARINE DRIVE PARKING	90	ERIE	\$0.00
RATH BUILDING	95	FRANKLIN	\$0.00
CONVENTION CENTER	153	FRANKLIN	\$0.00
HYATT CONVENTION CENTER PARKING LOT	187	FRANKLIN	\$2,881.78
CYCLORAMA BUILDING	369	FRANKLIN	\$2,782.07
TEXAS RED HOTS	5	GENESEE	\$319.97
TEXAS RED HOTS	7	GENESEE	\$267.76
SPA LOFTS	9	GENESEE	\$429.66
BUFFALO URBAN LEAGUE	11	GENESEE	\$0.00
M & T CUSTOMER LOT	46	GENESEE	\$3,063.72
OLMYPIC TOWERS	31	GENESEE WEST	\$8,367.53
WALDORF LUNCH RESTRUANT	5	HURON EAST	\$563.68
THE ELECTRIC TOWER	20	HURON EAST	\$11,105.45
RAND BLDG	14	LAFAYETTE SQ	\$24,075.43
DL & W TERMINAL	15	MAIN	\$0.00
CANAL SIDE	50	MAIN	\$0.00
WEBSTER BLOCK	75	MAIN	\$10,047.78
DONOVAN BLDG	125	MAIN	\$0.00
MEMORIAL AUDITORIUM	130	MAIN	\$0.00
MAIN/SENECA BLDG.	233	MAIN	\$20,082.08
MAIN SENECA PARKING LOT	234	MAIN	\$2,763.09
ROBLIN BUILDING	241	MAIN	\$7,028.73
MERCHANTS MUTUAL BLDG	246	MAIN	\$13,257.11
STANTON BUILDING	251	MAIN	\$2,811.49
268 OFFICE BUILDING	256	MAIN	\$9,543.92
CITIPARK PARKING LOT	259	MAIN	\$4,421.06
SWAN PARKING LOT	270	MAIN	\$2,290.80
BERNSTONES NEW TREND	273	MAIN	\$268.17
ELLCOTT SQUARE	283	MAIN	\$41,604.82
SWAN TOWER	284	MAIN	\$21,972.26

CATHEDRAL PLACE	298	MAIN	\$5,689.92
LAW OFFICES	300	MAIN	\$2,455.84
FORMER BANK	306	MAIN	\$0.00
ONE M & T PLAZA	345	MAIN	\$67,092.72
MAIN PLACE	350	MAIN	\$91,423.70
MALL PARKING	360	MAIN	\$0.00
FORMER TAYLOR'S DEPT STORE	377	MAIN	\$9,371.64
BRISBANE BUILDING	395	MAIN	\$26,851.06
410 MAIN ST LLC	410	MAIN	\$3,611.88
LAFAYETTE SQUARE	415	MAIN	\$0.00
LIBERTY BLDG	424	MAIN	\$33,470.14
MAIN COURT BUILDING	436	MAIN	\$20,714.43
TISHMAN BUILDING	447	MAIN	\$12,049.25
RITE AID #565	450	MAIN	\$2,323.53
THE ANTONIO	456	MAIN	\$12,494.09
LAFAYETTE COURT	465	MAIN	\$31,393.23
DOWNTOWN FOOD MART	472	MAIN	\$2,342.91
MARTIN GROUP	477	MAIN	\$267.76
MOHAWK BLDG	478	MAIN	\$18,427.00
Former Christian Read Rm	483	MAIN	\$885.93
CARMINA, WOOD AND MORRIS	487	MAIN	\$2,327.89
BURGER KING RESTAURANT	495	MAIN	\$926.62
496 MAIN	496	MAIN	\$2,403.37
BELASARIO	500	MAIN	\$15,418.73
501 MAIN	501	MAIN	\$1,063.87
JP FASHIONS	505	MAIN	\$680.39
CENTURY LOT	513	MAIN	\$1,405.75
MAIN STREET STUDIOS	515	MAIN	\$836.75
KANG DONG BUILDING	523	MAIN	\$790.07
JERRY'S PHOTO LAB & STUDIO	521	MAIN	\$583.64
CHINA EXPRESS	525	MAIN	\$619.85
FORMER RUBY'S FOOD FACTORY	529	MAIN	\$502.05
HYATT REGENCY BUFFALO	532	MAIN	\$83,730.39
ROSIE'S NAILS	535	MAIN	\$638.92
QUEEN CITY LOFTS	537	MAIN	\$803.95
BANK OF AMERICA BUILDING	560	MAIN	\$27,683.49
KEY CENTER SOUTH TOWER	562	MAIN	\$37,835.30
KEY CENTER NORTH TOWER	564	MAIN	\$75,150.09
M & T CENTER	575	MAIN	\$79,996.23
ROTARY ICE RINK	580	MAIN	\$0.00
598 MAIN BUILDING	598	MAIN	\$5,545.35
COMFORT SUITES	601	MAIN	\$24,798.93
UNIT # 101	610	MAIN	\$568.46
UNIT # 201	610	MAIN	\$760.51
UNIT # 301	610	MAIN	\$760.51
UNIT # 401	610	MAIN	\$760.51

UNIT # 501
UNIT # 502
UNIT # 503
UNIT # 504
UNIT # 505
UNIT # 601
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UNIT # 1101
UNIT # 1103
UNIT # 1104
UNIT # 1201
UNIT # 1202
UNIT # 1203
UNIT # 1204
UNIT # 1301
UNIT # 1302
UNIT # 1401
UNIT # 1402
MARKET ARCADE PROJECT
620 MAIN ST
THEATER PLACE
ARCADE APARTMENTS
IRISH CLASSICAL THEATER
FILM AND ART CENTER

610	MAIN	\$248.52
610	MAIN	\$322.41
610	MAIN	\$354.13
610	MAIN	\$267.07
610	MAIN	\$227.38
610	MAIN	\$189.06
610	MAIN	\$322.41
610	MAIN	\$354.13
610	MAIN	\$267.07
610	MAIN	\$286.85
610	MAIN	\$248.52
610	MAIN	\$322.41
610	MAIN	\$354.13
610	MAIN	\$267.07
610	MAIN	\$227.38
610	MAIN	\$248.52
610	MAIN	\$295.06
610	MAIN	\$354.13
610	MAIN	\$267.07
610	MAIN	\$244.55
610	MAIN	\$189.06
610	MAIN	\$322.41
610	MAIN	\$354.13
610	MAIN	\$268.53
610	MAIN	\$286.85
610	MAIN	\$362.54
610	MAIN	\$366.67
610	MAIN	\$370.13
610	MAIN	\$346.68
610	MAIN	\$412.74
610	MAIN	\$686.83
610	MAIN	\$346.68
610	MAIN	\$362.54
610	MAIN	\$366.67
610	MAIN	\$370.13
610	MAIN	\$346.68
610	MAIN	\$612.72
610	MAIN	\$559.44
610	MAIN	\$698.72
610	MAIN	\$973.15
615	MAIN	\$0.00
618	MAIN	\$3,477.60
622	MAIN	\$8,802.83
625	MAIN	\$1,542.56
625	MAIN	\$0.00
639	MAIN	\$0.00

SHEA'S BUFFALO THEATER
SMITH THEATER
PIERCE BUILDING
665 MAIN BUILDING
ALLEYWAY THEATRE
GLENNY CENTER HOSTEL
BUFFALO PLACE INC
TENT CITY
678 MAIN
TOWN BALLROOM
BIRZON BUILDING
DIDONATO ASSOCIATES
PARKING LOT - THEATER DISTRICT
POLICE STATION MAIN/TUPPER
EMI BLDG
710 MAIN STREET PLAYHOUSE
CITY WINE MERCHANT
ANSONIA CENTRE
723 MAIN
THE SWAN BUILDING
STOKES SEED COMPANY
SCHMIDT'S AUTO SERVICE INC
AVALON BUILDING
NATHAN ASSOCIATES, LLC
VERNOR/TECK LOT
SIDWAY PARKING
M.STEFFAN'S LEATHER CRF
SPAULDING BUILDING
SIDWAY BUILDING
CANALSIDE
NAVAL PARK, PART OF
BMHA LOT
PARKING LOT
OTB
RIGHT OF WAY/PARKING
PEARL ST GRILL & BREWERY
BRD CONSTRUCTION
ST PAUL'S PARKING
J. A. WEBB BUILDING
DOWNTOWN GARAGE
PARKING LOT NEAR SWAN
DUN BUILDING
ST PAUL'S PARISH HOUSE
MONROE ABSTRACT & TITLE CORP
GUARANTY BLDG
FAMILY COURT BUILDING

642	MAIN	\$0.00
650	MAIN	\$0.00
653	MAIN	\$2,491.51
663	MAIN	\$15,573.82
664	MAIN	\$0.00
667	MAIN	\$0.00
671	MAIN	\$1,035.11
674	MAIN	\$1,459.30
678	MAIN	\$2,882.72
681	MAIN	\$3,347.01
686	MAIN	\$1,673.51
689	MAIN	\$1,527.68
690	MAIN	\$2,573.40
695	MAIN	\$0.00
698	MAIN	\$3,179.66
710	MAIN	\$0.00
715	MAIN	\$1,566.74
716	MAIN	\$11,179.03
723	MAIN	\$1,304.40
731	MAIN	\$1,627.06
733	MAIN	\$2,990.54
736	MAIN	\$1,296.14
739	MAIN	\$1,439.22
743	MAIN	\$2,153.30
752	MAIN	\$937.16
753	MAIN	\$1,232.37
761	MAIN	\$371.71
763	MAIN	\$3,347.01
777	MAIN	\$17,117.12
1	MARINE	\$0.00
2	MARINE	\$0.00
3	MARINE	\$0.00
5	MOHAWK EAST	\$66.94
11	MOHAWK EAST	\$1,859.17
70	PEARL ST	\$0.00
72	PEARL ST	\$2,108.62
82	PEARL ST	\$585.73
86	PEARL ST	\$0.00
92	PEARL ST	\$4,592.59
93	PEARL ST	\$2,175.56
100	PEARL ST	\$902.47
110	PEARL ST	\$2,671.49
128	PEARL ST	\$0.00
132	PEARL ST	\$1,146.28
140	PEARL ST	\$17,693.30
194	PEARL ST	\$0.00

FERNBACH PARKING RAMP
COURTYARD RESTAURANT
DOWNTOWN FOOD MART
CENTURY GRILL
OWEN AUGSPURGER RAMP
LORY BUILDING
PRIMA PIZZA
PARKING LOT - CHIPPEWA ST
GARVEY'S BUILDING
DARCY MCGEE PARKING
PEARL ST. PARKING
HOLLY FARMS
APPRAISAL.COM PARKING
GENESEE PICTURE FRAME
PARKING LOT - GENESEE PICTURE
PARKING LOT
THEATER PLACE PAVILLION
RAM BUILDING
SHEAS/M & T EMPLOYEE LOT
SATURN BLDG PARKING
CABARET
ENCORE RESTAURANT
ENCORE GAZEBO
BODY BLOCKS
BUFFALO CHRISTIAN CENTER LOT
SATURN BLDG/RHINO ROOM
BUFFALO CHRISTIAN CENTER
UNITED IMPORT MOTORS INC
PARKING LOT
CYCLORAMA LOT
CYCLORAMA PARKING
HSBC CENTER
HSBC RAMP
HSBC ARENA
FRANKLIN PARKING LOT
PRINTING PREP
SENECA ONE RAMP
COCO COLA PARK
ELLCOTT PARKING CO.
WASH. SQUARE RESTAURANT
SKYDECK 301 WASHINGTON LOT
PARKING LOT - ALLRIGHT
FIREMAN'S PARK
H@LOFTS
PKNG LOT
WAREHOUSE LOFTS PARKING

212	PEARL ST	\$0.00
212	PEARL ST	\$249.77
283	PEARL ST	\$368.17
318	PEARL ST	\$677.17
364	PEARL ST	\$0.00
388	PEARL ST	\$1,761.30
396	PEARL ST	\$414.39
406	PEARL ST	\$564.21
416	PEARL ST	\$662.74
420	PEARL ST	\$322.54
421	PEARL ST	\$2,510.93
424	PEARL ST	\$505.22
425	PEARL ST	\$255.47
426	PEARL ST	\$515.79
430	PEARL ST	\$77.25
432	PEARL ST	\$1,312.03
439	PEARL ST	\$851.00
452	PEARL ST	\$438.51
470	PEARL ST	\$2,984.02
478	PEARL ST	\$435.98
484	PEARL ST	\$585.73
492	PEARL ST	\$556.60
494	PEARL ST	\$128.16
496	PEARL ST	\$406.28
500	PEARL ST	\$1,485.40
505	PEARL ST	\$502.05
512	PEARL ST	\$0.00
538	PEARL ST	\$334.70
554	PEARL ST	\$517.78
558	PEARL ST	\$187.43
560	PEARL ST	\$117.15
1	SENECA	\$178,778.54
3	SENECA	\$0.00
1	SEYMOUR H KNOX III	\$0.00
61	TERRACE	\$0.00
12	TUPPER EAST	\$696.91
177	WASHINGTON	\$15,288.65
263	WASHINGTON	\$0.00
285	WASHINGTON	\$612.40
295	WASHINGTON	\$285.67
297	WASHINGTON	\$473.06
303	WASHINGTON	\$418.33
325	WASHINGTON	\$0.00
369	WASHINGTON	\$8,304.71
385	WASHINGTON	\$243.98
387	WASHINGTON	\$334.70

LAFAYETTE APARTS UNIT 2		391	WASHINGTON	\$9,758.54
LAFAYETTE HOTEL UNIT 1		391	WASHINGTON	\$6,586.79
LOT-PARKING		451	WASHINGTON	\$2,628.23
OTB PARKING		464	WASHINGTON	\$40.16
EDUCATIONAL OPP. CENTER		465	WASHINGTON	\$0.00
WNY BOOK ARTS CENTER		468	WASHINGTON	\$0.00
MOHAWK RAMP		477	WASHINGTON	\$0.00
VACANT RESTAURANT		500	WASHINGTON	\$188.19
HOLLING PLACE APARTMENTS		501	WASHINGTON	\$6,869.94
REAR OF RUBY'S		504	WASHINGTON	\$798.63
FORMER STORAGE/GARAGE		510	WASHINGTON	\$334.70
B.U.L. PARKING LOT		515	WASHINGTON	\$1,372.28
CLUB DIABLO		517	WASHINGTON	\$331.05
CATHOLIC CHARITIES		519	WASHINGTON	\$0.00
M & T EMPLOYEE LOT		571	WASHINGTON	\$5,326.13
ST.MICHAELS CHURCH		573	WASHINGTON	\$0.00
SPAULDING BUILDING PARKING		630	WASHINGTON	\$486.49
POST OFFICE BLDG		677	WASHINGTON	\$0.00
FREY THE WHEELMAN		693	WASHINGTON	\$352.41
P.C.I.PARKING		699	WASHINGTON	\$132.54
P.C.I.BUILDING		703	WASHINGTON	\$725.29
<b>FIRST NIAGARA CENTER</b>	<b>1</b>	<b>SEYMOUR KNOX PLAZA</b>		<b>\$18,000</b>
<b>HSBC Atrium Building</b>	<b>95</b>	<b>Washington Street</b>		<b>\$34,000</b>