



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

September 25, 2015

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

**Re: OPEN ITEM/ PLACEHOLDER – Payment in Lieu of Taxes (PILOT)
Agreement for HELP Buffalo II, City of Buffalo – Affordable Housing
Development**

Dear Honorable Members:

Please find enclosed a suggested resolution and accompanying memorandum regarding establishment of an Open Item/Placeholder on the agenda of the Legislature's Economic Development Committee relating to the following item.

Payment in Lieu of Taxes (PILOT) Agreement for HELP Buffalo II, City of Buffalo – Affordable Housing Development

Should your Honorable Body require further information, I encourage you to contact Thomas J. Dearing, Commissioner, at the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,



Mark C. Poloncarz, Esq.
Erie County Executive

MCP/cw
Enclosure

cc: Thomas J. Dearing, Commissioner

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Environment and Planning
Re: OPEN ITEM/ PLACEHOLDER – Payment in Lieu of Taxes (PILOT) Agreement for HELP Buffalo II, City of Buffalo – Affordable Housing Development
Date: September 25, 2015

SUMMARY

HELP Buffalo II is a 47-unit affordable housing development at the corner of Hickory Street and Broadway Avenue in the City of Buffalo. The approximate \$12,000,000 development will be owned by HELP Buffalo II LLC and HELP Buffalo Housing Development Fund Corporation. The owner is seeking a PILOT from the City of Buffalo and Erie County consistent with the PILOT Policy adopted by the Erie County Legislature on December 16, 1999.

FISCAL IMPLICATIONS

There are no County funds involved with this open item.

REASONS FOR RECOMMENDATION

This open item can shorten the legislative approval process, which may aid the project owner in meeting an anticipated tight timeline for closing on project financial and land ownership documents.

BACKGROUND INFORMATION

A draft PILOT Agreement is being prepared which includes the payment schedule. The latter is necessary prior to action by the Erie County Legislature. It is expected that a closing date with financial institutions will be established soon after the receipt of said schedule, thus a legislative placeholder will be beneficial in assuring action prior to the closing date.

CONSEQUENCES OF NEGATIVE ACTION

Should approval of the attached resolution not be given, project completion would be delayed.

STEPS FOLLOWING APPROVAL

This open item would be placed on the appropriate Legislative Committee agenda as a place holder.

A RESOLUTION SUBMITTED BY:
ENVIRONMENT AND PLANNING

RE: OPEN ITEM/ PLACEHOLDER –
Payment in Lieu of Taxes (PILOT)
Agreement for HELP Buffalo II,
City of Buffalo – Affordable Housing Development

WHEREAS, an application for a Payment in Lieu of Taxes Agreement (PILOT) has been submitted to the Erie County Department of Environment and Planning by HELP USA; and

WHEREAS, HELP USA is desirous of developing a 47-unit affordable housing development in the City of Buffalo at Broadway and Hickory Streets; and

WHEREAS, final details of the PILOT Payment Schedule, ownership structure, and required City of Buffalo approvals remain pending; and

WHEREAS, it is anticipated that a closing date for financial and land ownership documents will be set soon after all said final details are established; and

WHEREAS, the establishment of an Open Item/ Placeholder for the HELP Buffalo II Affordable Housing Development will be beneficial in aiding the achievement of the closing schedules.

NOW, THEREFORE, BE IT

RESOLVED, that an open item be established in the Economic Development Committee of this Legislature for the purpose of considering prerequisite resolutions pertaining to a PILOT Agreement for the HELP Buffalo II Affordable Housing Development; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; and the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor.