

MINUTES
2015 ASSESSMENT ROLLS / 2016 BUDGET
ERIE COUNTY SEWER DISTRICT NOS. 1-6 & 8
November 06, 2015

PRESENT: Mr. Chuck Katra, Mr. Sal Tirone, Ms. Cindy Scozzaro of the Erie County Department of Environment and Planning, Division of Sewerage Management; Karen M. McCarthy, Clerk of the Legislature of Erie County; Paul Taylor, Phillips & Lytle LLP; Paul Werthman, Benchmark Engineering and Legislator Patrick Burke.

Ms. McCarthy opened the hearing at 2:00 p.m. She stated the hearing is being held to discuss the Sewer District Nos. 1-6 & 8 Assessment Rolls for 2015 prior to adoption by Erie County Legislature. Ms. McCarthy proceeded to read the Legal Notice as published in the official County newspapers and the Buffalo News, a copy of which is attached. Ms. McCarthy asked, at this point, if anyone was present to speak in favor of the adoption of the 2015 Assessment Rolls.

Mr. Tirone, Senior Systems Accountant – Division of Sewer management, Department of Environment and Planning stated he was present at the hearing to represent the Board of Managers for each of the Erie County Districts, as well as the Erie County Department of Environment and Planning. He also said the hearing is required to be held as stipulated under Article 5A, Sections 266, 270 and 271 of the County Law and is part of the budget process.

Mr. Tirone explained the purpose of the Public Hearing is to allow the public an opportunity to voice their objections, if any, in the manner in which various lots and parcels have been assessed. Then once the Public Hearing has been held, the Legislature may adopt and affirm the Assessment Rolls, or they can request the Assessment Rolls be revised.

Mr. Tirone said the Assessment Rolls are available, as noted in the Legal Notice, if anyone desires to review them and note their concerns regarding the method of sewer assessments for the following (2016) Budget year.

Mr. Paul Taylor, partner at Phillips & Lytle is representing their client “Tecumseh Redevelopment Inc.”. Mr. Taylor said that he objects to the sanitary sewer parcel charge for 957 acres in Lackawanna, SBL#141.11-1-1.111 that is owned by Tecumseh Redevelopment Inc. Mr. Taylor said he particularly objects to their 4787 parcel charges that are assessed by the acreage. Mr. Taylor noted that Tecumseh Redevelopment Inc. feels there is no rational basis for the parcel charge because there is no analysis done to show the benefit that which may be provided to the property as a result of sanitary sewer there. Mr. Taylor indicated the fact that the average of the last few years, Tecumseh Redevelopment Inc. has been paying about 27% of total Sewer District 6 parcel charge but their flow to the sewer is only half of 1%, also most of the parcel has no sewer service.

Mr. Taylor said that Tecumseh Redevelopment Inc. will pay their fair share but objects to the current formula of the parcel charge 5 time multiplier for larger than one acre property and ask the board to consider eliminating the parcel charge from their tax roll. If the board is not willing to consider eliminating the parcel charge, Tecumseh Redevelopment Inc. prepares to sit and talk with the board of managers about a different formula that is more accurate than the one that is assessing the benefit to the property result by the sewer. Mr. Taylor introduced Mr. Paul Wethman, engineer from Benchmark Engineering who is familiar with this property and knows about the existing sewer lines on the property.

Mr. Paul Werthman, engineer from Benchmark Engineering said he is the clearing house when parties came forth with interest in purchasing or leasing the property and pass the information on to the owner. Mr. Werthman said the sewer tax has a negative effect on the interest in the property and developing a fair equitable sewer charge for this parcel will be in everybody's best interest. Also Mr. Werthman mentioned that this property's actual usage of sewerage had been far below the parcel charge.

Ms. McCarthy asked if anyone else was present to speak for or against adoption of said Assessment Rolls. There being none, Ms. McCarthy proceeded to close the hearing at 2:09 p.m.

Respectfully submitted,



Karen M. McCarthy
Clerk of the Legislature
of Erie County

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ST:CK:nh
cc: Thomas J. Dearing, Commissioner
Board of Managers Nos. 1-6 & 8
J. Fiegl / 0.4.2.Tax Rolls
C. Katra / J. Carr / J. Mallory 0.8.0.PH