



Erie County Town Clerk's, Tax Receivers & Tax Collector's Association

June 6, 2018

ALDEN

AMHERST

AURORA

BOSTON

BRANT

CHEEKTOWAGA

CLARENCE

COLDEN

COLLINS

CONCORD

EDEN

ELMA

EVANS

GRAND ISLAND

HAMBURG

HOLLAND

LANCASTER

MARILLA

NEWSTEAD

NORTH COLLINS

ORCHARD PARK

SARDINIA

TONAWANDA

WALES

WEST SENECA

Erie County Legislature
Attn: Clerk of the Legislature
92 Franklin St- 4th Floor
Buffalo, NY 14202

Re: Comments on Erie County Tax Act
Proposed Amendments

Dear Legislators:

The Erie County Town Clerks, Tax Receivers & Collectors Association would like to offer the following comments to the proposed amendments to the Erie County Tax Act. While our organization has worked over the past 2 years with Joe Maciejewski on portions of the proposed legislation, we are concerned about some inconsistencies in the draft and about the extremely quick timing it is being presented in. The following are some of our concerns:

- The Effective Date – we would ask the County Legislature to stipulate that if this is approved the portion of the law referring to changing the tax cycles for Towns of the 2nd Class would not become effective until the 2020 County-Town tax cycle. This would ensure that Towns of the 2nd Class would have ample time to work with the County RPTS offices to notify and educate the residents that this change is coming and what it means to them. It would also give the escrow companies ample time to make adjustments in their clients escrow accounts to cover the change in due date.
- The Partial payment sections of the law are inaccurate. The language reflects how we used to collect partial payments. Several years ago an amendment was made allowing towns and school districts to collect partial payments in any amount and as many payments as a resident wanted to make. The law in the draft under sections 5-15.0 for school

districts and 6-25 for towns still contains the language that partial payments must be made in 50% of balance owed increments and over only 2 to 4 installments. This language needs to be corrected.

- Some of the problems throughout the document are cosmetic in nature or just incorrect as to how things are really done in practice. It is the feeling of our association that these are laws we are required to follow, so they should be correct. Such examples are the section that refers to Real Property Transfers should be delivered to the Town Clerks who then forward them onto the Assessor's. In reality Real Property transfers go directly to the Assessor's. There are several pages where the page numbering is wrong as well.
- Foreclosures/ Homestead Exemption proposals: Who do people contact to make arrangements for payments? Will a new system be put in place? Right now it is very difficult for anyone of the general public to get through to the R.P.T.S. office. An answering system ALWAYS answers the phone and you are required to leave a message and wait for someone to get back to you.

We thank you for considering our comments to the draft legislation on the Tax Act. If you have any questions regarding this please reach out to our President Darlene Schweikert, Town of Concord (716) 592-4948 or any one of your local Town Clerk's or Tax Receiver's & Collectors.

Thank you for your consideration,

The Erie County Town Clerk's, Tax Receiver's & Collectors Association