

January 14, 2016

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT.

1. RESOLVED, the following item is hereby received and filed:

a. COMM. 1M-3 (2016)

VILLAGE OF WILLIAMSVILLE: "Village Resolution Regarding Support of a Youngs Rd NYS Thruway Interchange"
(5-0)

2. COMM. 18E-6 (2015)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, HELP Buffalo Housing Development Fund Corporation is developing housing for low and moderate income individuals and families under 60% of the area median income; and

WHEREAS, HELP Buffalo II consists of a 47-unit affordable housing development in the City of Buffalo at Broadway and Hickory Streets; and

WHEREAS, 15 one-bedroom apartments will be set aside as special needs units for formerly homeless tenants; and

WHEREAS, individuals with special needs will not pay more than 30% of their income towards rent and utilities and will be supported through a project based Annual Contributions Contract (ACC) with the Buffalo Municipal Housing Authority; and

WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and the PILOT is consistent with said policy; and

WHEREAS, in order to make the Project economically feasible for HELP Buffalo Housing Development Fund Corporation to operate the housing project it is necessary to obtain tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with HELP Buffalo II LLC and HELP Buffalo Housing Development Fund Corporation, the City of Buffalo, and any other organizations necessary to conclude this PILOT Agreement; and be it further

RESOLVED, that said Agreement shall include an annual PILOT in the amount of taxes due as set forth on Schedule A attached hereto; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the Director of Real Property Tax Services; the Commissioner of the Department of Environment and Planning; the County Comptroller; and the County Attorney.

Schedule A

Year	Total	City	County
1	9,895.98	7421.99	2,474.00
2	10,192.86	7,644.64	2,548.21
3	10,498.65	7,873.98	2,624.66
4	10,813.60	8,110.20	2,703.40
5	11,138.01	8,353.51	2,784.50
6	11,472.15	8,604.11	2,868.04
7	11,816.32	8,862.24	2,954.08
8	12,170.81	9,128.11	3,042.70
9	12,535.93	9,401.95	3,133.98
10	12,912.01	9,684.01	3,228.00
11	13,299.37	9,974.53	3,324.84
12	13,698.35	10,273.76	3,424.59
13	14,109.30	10,581.98	3,527.33
14	14,532.58	10,899.44	3,633.15
15	14,968.56	11,226.42	3,742.14

(5-0)

3. COMM. 25E-7 (2015)

COUNTY EXECUTIVE

RESOLUTION of the Legislature of the County of Erie, electing the provision for refund or credit of sales and compensating use taxes described in section 1119(d) of the New York Tax Law, relating to Qualified Empire Zone Enterprises, qualified entities that are also tenants in or part of a New York State innovation hot spot, and businesses located in an approved tax-free NY area, pursuant to the authority of section 1210(a)(1)(i) of the New York Tax Law.

WHEREAS, the State of New York has established an Empire Zone Program and other programs to revitalize economic development by providing financial inducements for businesses and industry to locate within Empire Zones and in other State-approved locations; and

WHEREAS, the proposed amendment to Section Twelve of the County Sales and Use Tax Resolution will provide for refunds or credits of local sales and compensating use taxes applicable to Qualified Empire Zone Enterprises (QEZE) and certain other business entities; and

WHEREAS, pursuant to New York Tax Law Section 1210(d), a certified copy of this resolution must be properly mailed to the New York State Commissioner of Taxation and Finance with a waiver request prior to January 30, 2016, for a March 1, 2016, effective date; and

WHEREAS, Erie County has provided the Tax Law section 1119(d) refund/credit on an annual basis for a number of years and wants to continue to provide it; and

WHEREAS, Erie County wishes to continue to participate in the Empire Zone Program established by New York State; now therefore,

BE IT ENACTED by the Legislature of the County of Erie, as follows:

Section 1. Subdivision (d) of section twelve of the Erie County Sales and Use Tax Resolution being a resolution adopted by the Board of Supervisors of the County of Erie being Item 8 of Meeting Number 31, held on July 27, 1965, Supervisors Proceedings, Page 666, as amended, is amended to read as follows:

(d) The provision for refund or credit described in section 1119(d) of the New York Tax Law, relating to qualified empire zone enterprises, qualified entities that are also tenants in or part of a New York State innovation hot spot, and to businesses located in an approved tax-free NY area, shall apply to the taxes imposed by this enactment.

Section 2. This resolution shall take effect March 1, 2016, and shall apply in accordance with applicable transitional provisions in sections 1106 and 1217 of the New York Tax Law.

RESOLVED, that certified copies of this resolution be filed with the State Commissioner of Taxation and Finance; the Secretary of State; and the State Comptroller; and that certified copies be sent to the County Executive; the Director of the Division of Budget and Management; the County Comptroller; the Erie County Clerk; the Commissioner of Environment and Planning; and the County Attorney.

(5-0)

EDWARD A. RATH, III
CHAIR