

March 16, 2010

FINANCE & MANAGEMENT COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT.

CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:

- a. INTRO 5-15 (2009)
MILLS, RATH & WALTER: "Requesting NYS Reimbursement Through SEMO"
(4-0) Legislators Whyte & Marinelli not present for vote.
- b. COMM. 17M-15 (2009)
NEWSTEAD TOWN BOARD: "Copy of Resolution Adopted on 7/27/09 - Process of Updating the EC Tax Act from 1997"
(6-0)
- c. COMM. 17M-20 (2009)
LANCASTER TOWN BOARD: "Copy of Resolution Adopted 8/3/09 Concerning EC Tax Act"
(6-0)
- d. COMM. 17M-28 (2009)
CONCORD TOWN BOARD: "Copy of Resolution Adopted on 8/13/09 - Process of Updating the EC Tax Act from 1997"
(6-0)
- e. COMM. 18E-1 (2009)
COMPTROLLER: "Erie County Financial Obligations To/With Erie County Medical Center Corporation"
(6-0)
- f. COMM. 19E-5 (2009)
COMPTROLLER: "New Intergovernmental Transfer/Disproportionate Share Payment to NYS"
(6-0)

- g. COMM. 22D-1 (2009)
BUDGET & MANAGEMENT DIRECTOR: "BMR for Period Ending August-September 30, 2009 and the 2009 Year-End Projection"
(6-0)
- h. INTRO 27-1 (2009)
WHYTE: "Legislature Rules"
(4-2) Legislators Whyte & Marinelli voted in the negative.
- i. INTRO 1-2 (2010)
MILLER-WILLIAMS, MILLS, KENNEDY, WALTER, WLEKLINSKI-BOVE, RATH, FUDOLI HARDWICK & DIXON: "The 2010 Rules of the Legislature"
(5-1) Legislator Whyte voted in the negative.
- j. COMM. 1E-5 (2010)
COMPTROLLER: "Local 4.75% Sales & Compensating Use Tax for EC (September - November '09)"
(6-0)
- k. COMM. 1D-7 (2010)
DIRECTOR OF SIX SIGMA: "Quarterly Status Report"
(6-0)
- l. INTRO 2-1 (2010)
MARINELLI, WHYTE, GRANT, KOZUB & MAZUR: "Preparing a First Quarter Road Map to Ensure Erie County's Continued Fiscal Stability and Service Efficiencies"
(4-2) Legislators Whyte & Marinelli voted in the negative.
- m. COMM. 3E-21 (2010)
COUNTY COMPTROLLER: "Payment of Retirement Bill & Amortized Components - 2010 Budget Impact"
(6-0)
- n. COMM. 3M-37 (2010)
ASSEMBLYMAN HOYT: "Copy of Letter to ECFSA Concerning EC Four-Year Plan"
(6-0)
- o. COMM. 4E-2 (2010)
COUNTY EXECUTIVE: "Revised 2010 - 2013 EC Four Year Plan"
(6-0)

p. COMM. 4E-28 (2010)
COUNTY EXECUTIVE: "Copy of Letter to ECFSA Including Revised 2010-2013 Erie County Four Year Plan"
 (6-0)

2. COMM. 1E-25 (2010)
COUNTY EXECUTIVE AS AMENDED
 WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556; and

WHEREAS, the Director has investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 210093 through 210122, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities:

FISCAL YEAR	2010	Petition No.	210,093.00
	ASSESSOR	Cancel	\$478.81

S-B-L 243.03-1-3.1 143400 COLDEN

	Acct. No. 112	\$346.37	County
	Acct. No. 132	\$132.44	Town/SpecialDist/School
<u>Charge To :</u>	143400 COLDEN		\$132.44

RPTL 550(2): ERROR IN THE CALCULATION OF AN AGED EXEMPTION
 NEW TAX BILL TO BE ISSUED TO: GERTRUDE W & CARL RAUCH

FISCAL YEAR	2010	Petition No.	210,094.00
	ASSESSOR	Cancel	\$410.59

S-B-L 321.00-2-19 143889 CONCORD

	Acct. No. 112	\$253.90	County
	Acct. No. 132	\$156.69	Town/SpecialDist/School
<u>Charge To :</u>	143889 CONCORD		\$156.69

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
 NEW TAX BILL TO BE ISSUED TO: DANIEL SHAVER

FISCAL YEAR	2010	Petition No.	210,095.00
	ASSESSOR	Refund	\$165.00

S-B-L 104.70-2-16 145203 LANCASTER

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$165.00	Town/SpecialDist/School
	52800 EC#4 SS DEPEW LANC	\$165.00	
<u>Charge To :</u>	145203 LANCASTER		\$0.00

RPTL 550(2): INCORRECT NUMBER OF SEWER UNITS CHARGED TO THE TAX ROLL
 REFUND TO BE ISSUED TO: ST JOHN EVG LUTH CH REC

FISCAL YEAR	2010	Petition No.	210,096.00
	ASSESSOR	Refund	\$576.24

S-B-L 198.00-2-28.2 146089 ORCHARD PARK

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$576.24	Town/SpecialDist/School
<u>Charge To :</u>	146089 ORCHARD PARK		\$576.24

RPTL 550(2): PARAPLEGIC VETERANS EXEMPTION NOT CODED CORRECTLY
 REFUND TO BE ISSUED TO: DAVID G & MARIE A ZELL

FISCAL YEAR	2010	Petition No.	210,097.00
	ASSESSOR	Refund	\$1,554.69

S-B-L 185.11-2-12 146089 ORCHARD PARK

Acct. No. 112	\$0.00	County
Acct. No. 132	\$1,554.69	Town/SpecialDist/School
60141 ERIE CO SEW DST 3	\$628.12	
<u>Charge To :</u>	146089 ORCHARD PARK	\$926.57

RPTL 550(2): PARAPLEGIC VETERANS EXEMPTIONS NOT CODED CORRECTLY
 REFUND TO BE ISSUED TO: JOSEPH P & BARBARA D RUSSELL

FISCAL YEAR	2010	Petition No.	210,098.00
	ASSESSOR	Cancel	\$3,464.10

S-B-L 246.15-7-3.1 145000 HOLLAND

Acct. No. 112	\$0.00	County
Acct. No. 132	\$3,464.10	Town/SpecialDist/School
50060 ECSD#3 USER CHARGE	\$3,464.10	
<u>Charge To :</u>	145000 HOLLAND	\$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED TO THE TAX ROLL
 NEW TAX BILL TO BE ISSUED TO: DAVID LAFFERTY

FISCAL YEAR	2010	Petition No.	210,099.00
	ASSESSOR	Cancel	\$14.55

S-B-L 239.00-5-16/A 144000 EDEN

Acct. No. 112	\$7.56	County
Acct. No. 132	\$6.99	Town/SpecialDist/School
<u>Charge To :</u>	144000 EDEN	\$6.99

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
 NEW TAX BILL TO BE ISSUED TO: DONALD M WILLIAMS

FISCAL YEAR	2010	Petition No.	210,100.00
	ASSESSOR	Cancel	\$251.09

S-B-L 223.04-1-30 144000 EDEN

Acct. No. 112	\$95.56	County
Acct. No. 132	\$155.53	Town/SpecialDist/School
40050 ERIE CO SEW DST 2	\$66.59	
<u>Charge To :</u>	144000 EDEN	\$88.94

RPTL 550(2): FAILED TO APPLY AN EDUCATIONAL EXEMPTION
 NEW TAX BILL TO BE ISSUED TO: EDEN COMMUNITY CENTER

FISCAL YEAR	2010	Petition No.	210,101.00
	ASSESSOR	Cancel	\$210.86

S-B-L 223.18-1-46.12 144000 EDEN

Acct. No. 112	\$74.06	County
Acct. No. 132	\$136.80	Town/SpecialDist/School
40050 ERIE CO SEW DST 2	\$67.88	
<u>Charge To :</u>	144000 EDEN	\$68.92

RPTL 550(2): PROPERTY IS TOWN OWNED AND SHOULD BE \$0
 NEW TAX BILL TO BE ISSUED TO: TOWN OF EDEN

FISCAL YEAR	2008	Petition No.	210,102.00
	ASSESSOR	Refund	\$281.06

S-B-L 57.17-1-15 143200 CLARENCE

Acct. No. 112	\$0.00	County
Acct. No. 132	\$281.06	Town/SpecialDist/School
32500 RPTL 520	\$281.06	
<u>Charge To :</u>	143200 CLARENCE	\$0.00

RPTL 550(2): RPTL 520 BILLED TWICE IN ERROR
 REFUND TO BE ISSUED TO: RANDELL & ANGELA ROZELLE

FISCAL YEAR 2010 Petition No. 210,103.00
 ASSESSOR Cancel \$274.10

S-B-L 167.00-1-8.211 146600 WALES
 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$274.10 Town/SpecialDist/School
Charge To : 146600 WALES \$274.10
 Relevy School \$274.10 144201 IROQUOIS

CENTRAL

RPTL 550(2): SCHOOL RELEVIED IN ERROR
 NEW TAX BILL TO BE ISSUED TO: 12990 OLD BIG TREE ASSOCIATION

FISCAL YEAR 2009 Petition No. 210,104.00
 ASSESSOR Refund \$1,478.83

S-B-L 272.00-2-36.1 145889 NORTH COLLINS
 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$1,478.83 Town/SpecialDist/School
Charge To : 145889 NORTH COLLINS \$1,478.83
 Relevy School \$1,478.83 145801 NORTH

COLLINS CENT

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
 REFUND TO BE ISSUED TO: LINDA MARIE CORSARO

FISCAL YEAR 2010 Petition No. 210,105.00
 ASSESSOR Cancel \$1,409.11

S-B-L 272.00-2-36.1 145889 NORTH COLLINS
 Acct. No. 112 \$475.51 County
 Acct. No. 132 \$933.60 Town/SpecialDist/School
 58055 EC#2 SEWER OUT OF DST \$201.63
Charge To : 145889 NORTH COLLINS \$731.97

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
 NEW TAX BILL TO BE ISSUED TO: LINDA MARIE CORSARO

FISCAL YEAR 2010 Petition No. 210,106.00
 ASSESSOR Cancel \$1,176.21
 S-B-L 171.19-3-6 144889 HAMBURG
 Acct. No. 112 \$337.00 County
 Acct. No. 132 \$839.21 Town/SpecialDist/School
 48117 ERIE CO#3 ARM MCKNY \$267.47
 48118 EC ARM MCKNY \$47.50
 48302 TOWN WIDE WATER \$4.14
 52002 2009 COMM COLLEGE \$2.16
Charge To : 144889 HAMBURG \$517.94

RPTL 550(2): PROPERTY IS OWNED BY THE PEOPLE OF THE STATE OF NEW YORK
 NEW TAX BILL TO BE ISSUED TO: STATE OF NEW YORK
 JOSEPH DURKIN OFFICE OF MR & DD

FISCAL YEAR 2010 Petition No. 210,107.00
 ASSESSOR Cancel \$209.31
 S-B-L 171.19-3-7 144889 HAMBURG
 Acct. No. 112 \$64.26 County
 Acct. No. 132 \$145.05 Town/SpecialDist/School
 48117 ERIE CO#3 ARM MCKNY \$7.56
 48118 EC ARM MCKNY \$47.50
 48302 TOWN WIDE WATER \$0.54
 52002 2009 COMM COLLEGE \$0.41
Charge To : 144889 HAMBURG \$89.04

RPTL 550(2): PROPERTY IS OWNED BY THE PEOPLE OF THE STATE OF NEW YORK
 NEW TAX BILL TO BE ISSUED TO: THE STATE OF NEW YORK
 JOSEPH DURKIN OFFICE OF MR & DD

FISCAL YEAR 2009 Petition No. 210,108.00
 ASSESSOR Refund \$255.97
 S-B-L 269.19-5-14 145889 NORTH COLLINS
 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$255.97 Town/SpecialDist/School
Charge To : 145889 NORTH COLLINS \$255.97
 Relevy School \$255.97 145801 NORTH
 COLLINS CENT

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
 REFUND TO BE ISSUED TO: GARY & KAREN BALONE

FISCAL YEAR 2010 Petition No. 210,109.00
 ASSESSOR Cancel \$141.81
 S-B-L 269.19-5-14 145889 NORTH COLLINS
 Acct. No. 112 \$71.20 County
 Acct. No. 132 \$70.61 Town/SpecialDist/School
 58050 ERIE CO SEW DST 2 \$16.41
Charge To : 145889 NORTH COLLINS \$54.20

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
 NEW TAX BILL TO BE ISSUED TO: GARY & KAREN BALONE

FISCAL YEAR 2010 Petition No. 210,110.00
 ASSESSOR Cancel \$270.00
 S-B-L 342.09-2-3 143689 COLLINS
 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$270.00 Town/SpecialDist/School
 36064 PROPERTY CLEAN-UP \$270.00
Charge To : 143689 COLLINS \$0.00

RPTL 550(2): CLEAN - UP DEBRIS CHARGED IN ERROR
 NEW TAX BILL TO BE ISSUED TO: RAYMOND & BARBARA COLPOYS

FISCAL YEAR 2010 Petition No. 210,111.00
 ASSESSOR Refund \$1,462.19
 S-B-L 185.05-1-29.1 146089 ORCHARD PARK
 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$1,462.19 Town/SpecialDist/School
 2001 GENERAL FUND \$21.61
 60141 ERIE CO SEW DST 3 \$560.46
 60179 WATER DIST 17-1 \$185.32
Charge To : 146089 ORCHARD PARK \$694.80

RPTL 550(2): PARAPLEGIC VET EXEMPTION NOT CALCULATED CORRECTLY
 REFUND TO BE ISSUED TO: MARK J DUNFORD

FISCAL YEAR 2008 Petition No. 210,112.00
 ASSESSOR Refund \$263.63
 S-B-L 130.00-10-6.1 145400 MARILLA
 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$263.63 Town/SpecialDist/School
Charge To : 145400 MARILLA \$263.63
 Relevy School \$263.63 142001 ALDEN

CENTRAL

RPTL 550(2): FAILED TO APPLY A BASIC STAR
 REFUND TO BE ISSUED TO: BUSH GARDENS MHC, LLC

FISCAL YEAR 2009 Petition No. 210,113.00
 ASSESSOR Refund \$269.17
 S-B-L 130.00-10-6.1 145400 MARILLA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$269.17	Town/SpecialDist/School
<u>Charge To :</u>	145400 MARILLA	\$269.17	\$269.17
	Relevy School		142001 ALDEN

CENTRAL

RPTL 550(2): FAILED TO APPLY A BASIC STAR EXEMPTION
 REFUND TO BE ISSUED TO: BUSH GARDENS MHC, LLC

FISCAL YEAR	2008	Petition No.	210,114.00
	ASSESSOR	Refund	\$11.27

S-B-L 151.10-2-1.11 144889 HAMBURG

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$11.27	Town/SpecialDist/School
<u>Charge To :</u>	144889 HAMBURG		\$11.27

RPTL 550(2): SPECIAL DISTRICTS CHARGED IN ERROR
 REFUND TO BE ISSUED TO: ALBERTA DYLIK

FISCAL YEAR	2009	Petition No.	210,115.00
	ASSESSOR	Refund	\$19.70

S-B-L 151.10-2-1.11 144889 HAMBURG

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$19.70	Town/SpecialDist/School
48302 TOWN WIDE WATER		\$7.96	
<u>Charge To :</u>	144889 HAMBURG		\$11.74

RPTL 550(2): SPECIAL DISTRICTS CHARGED IN ERROR
 REFUND TO BE ISSUED TO: ALBERTA DYLIK

FISCAL YEAR	2010	Petition No.	210,116.00
	ASSESSOR	Refund	\$16.68

S-B-L 151.10-2-1.11 144889 HAMBURG

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$16.68	Town/SpecialDist/School
48302 TOWN WIDE WATER		\$7.84	
<u>Charge To :</u>	144889 HAMBURG		\$8.84

RPTL 550(2): SPECIAL DISTRICTS CHARGED IN ERROR
 REFUND TO BE ISSUED TO: ALBERTA DYLIK

FISCAL YEAR	2010	Petition No.	210,117.00
	ASSESSOR	Refund	\$2,787.27

S-B-L 141.08-1-5 140900 LACKAWANNA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$2,787.27	Town/SpecialDist/School
9992 ECSD#6 SAN SEWER		\$2,787.27	
<u>Charge To :</u>	140900 LACKAWANNA		\$0.00

RPTL 550(2): INCORRECT SEWER UNITS CHARGED TO THE TAX ROLL
 REFUND TO BE ISSUED TO: CONRAIL CORP. C/O ATTN:NEW YORK CONRAIL LINES

FISCAL YEAR	2009	Petition No.	210,118.00
	ASSESSOR	Refund	\$338.32

S-B-L 28.26-2-1./25D 142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$338.32	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$338.32
	Relevy School	\$338.32	142203

WILLIAMSVILLE CENT

RPTL 550(2): FAILED TO APPLY A ENHANCED STAR EXEMPTION
 REFUND TO BE ISSUED TO: SANDRA L FLANDERS

FISCAL YEAR	2010	Petition No.	210,119.00
	ASSESSOR	Refund	\$339.75
S-B-L	224.17-3-10	144000 EDEN	
	Acct. No. 112	\$201.46	County
	Acct. No. 132	\$138.29	Town/SpecialDist/School
<u>Charge To :</u>	144000 EDEN	\$138.29	

RPTL 550(2): DISABLED VETERANS EXEMPTION REMOVED IN ERROR
 REFUND TO BE ISSUED TO: RICHARD G HAUSER & MARGARET V LACHUT

FISCAL YEAR	2010	Petition No.	210,120.00
	ASSESSOR	Cancel	\$166.66
S-B-L	47.18-1-34.112	145689 NEWSTEAD	
	Acct. No. 112	\$132.36	County
	Acct. No. 132	\$34.30	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD	\$34.30	

RPTL 550(2): PROPERTY SHOULD HAVE BEEN WHOLLY EXEMPT
 NEW TAX BILL TO BE ISSUED TO: ECIDA- ATTN MODERN HEAT TREATMENT

FISCAL YEAR	2009	Petition No.	210,121.00
	ASSESSOR	Refund	\$8,104.36
S-B-L	47.07-1-6.11	145689 NEWSTEAD	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$8,104.36	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD	\$8,104.36	
	Relevy School	\$8,104.36	145601 AKRON

CENTRAL

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL

REFUND TO BE ISSUED TO: ICP REALTY

FISCAL YEAR	2010	Petition No.	210,122.00
	ASSESSOR	Cancel	\$3,698.34
S-B-L	47.07-1-6.11	145689 NEWSTEAD	
	Acct. No. 112	\$2,896.03	County
	Acct. No. 132	\$802.31	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD	\$802.31	

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
 NEW TAX BILL TO BE ISSUED TO: ICP REALTY

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.
 (6-0)

3. COMM. 2M-6 (2010)
TOWN OF TONAWANDA TOWN BOARD
 RESOLVED, the Erie County Legislature goes on the record in support of the following:

WHEREAS, Chapter 278 of the Laws of 1947, as amended, authorizes the County of Erie to impose sales and uses taxes within said county, and authorizes any town within said county to adopt a resolution requesting direct payment of the amount allocated for distribution to such town.

NOW, THEREFORE, BE IT,

RESOLVED, that the Town of Tonawanda requests that its share of the amount of money collected from the sales/use tax by the County of Erie be paid directly to the Town of Tonawanda, New York in lieu of applying said share to reduce general town and county taxes levied upon real property in the town: and be it further

RESOLVED, that the Clerk of the Board forward certified copies of this resolution to the County Executive, the Commissioner of Finance, and the Clerk of the Erie County Legislature.
 (6-0)

4. INTRO 4-2 (2010)

MARINELLI

WHEREAS, the 2010 Erie County Budget, as submitted, explicitly contemplates that Erie County, during 2010-11, will receive approximately \$122 million in net sales tax collections revenue on account of Erie County's continued imposition of additional 1% sales tax rate; and

WHEREAS, the 2010 Erie County Budget further explicitly contemplates that the first \$12.5 million of said net sales tax collections will be shared among Erie County's cities, towns and villages; and

WHEREAS, Erie County derives all of its tax imposing authority directly from State law; and

WHEREAS, Erie County's authority to impose its additional 1% sales tax rate will expire at midnight on November 30, 2010 absent enactment of new State authorizing legislation.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby memorializes the NYS Assembly and Senate, particularly those lawmakers who serve as Western New York's delegation in Albany, that immediate introduction of new State authorizing legislation is needed so that Erie County can continue to impose its additional 1% sales tax rate during the period from November 30, 2010 to December 1, 2012; and be it further

RESOLVED, that the County Attorney is hereby directed to prepare the necessary State authorizing legislation and to immediately transmit same to the Honorable Robin Schimminger of the NYS Assembly and the Honorable William Stachowski of the NYS Senate for introduction in Albany; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Honorable Robin Schimminger of the NYS Assembly and the Honorable William Stachowski of the NYS Senate, together with the Division of Budget, Management and Finance, the County Attorney and the County Comptroller.
(6-0)

5. INTRO 4-3 (2010)

KOZUB

WHEREAS, New York State is facing a budget deficit for the year 2010; and

WHEREAS, the State Legislature is currently holding hearings regarding the New York State Budget for 2010 and debating proposed cuts to close the budget gap; and

WHEREAS, the Governor has proposed delaying the payment of state tax refunds to individuals in order to close the deficit in the 2009 budget; and

WHEREAS, many individual taxpayers rely on their tax refund each year to make significant purchases or to pay bills; and

WHEREAS, in this challenging economic climate Erie County is reliant on the upsurge in sales tax from the sale of goods purchased with the proceeds of tax refunds to pay for vital County programs and services; and

WHEREAS, some individuals may calculate their exemptions in such a way as to assume a refund at the end of the year thereby allowing New York State to have access to that revenue throughout the year; and

WHEREAS, those same individuals may now choose to withhold less money by claiming fewer exemptions; and

WHEREAS, the State will no longer have access to those interest earning monies which they hold without New York State paying additional interest to the taxpayer thereby benefitting the State; and

WHEREAS, it is believed by this Honorable Body that the State Legislature and the Governor should work together to close the budget gap through sound fiscal policy in lieu of denying individuals their right to a timely New York State tax refund.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature goes on record as opposing the Governor's consideration of using a delay in paying refunds to New York taxpayers as a way to close the budget deficit of the State of New York for the year 2010; and be it further

RESOLVED, that the Erie County Legislature forward certified copies of this resolution to Governor David Paterson, the Western New York State Legislative Delegation, Senate Majority Leader Pedro Espada, Jr., Assembly Speaker Sheldon Silver, and County Executive Chris Collins.
(6-0)

6. INTRO 5-4 (2010)

KENNEDY AS AMENDED

WHEREAS, Woodlawn Beach State Park in the Village of Blasdell just south of the City of Buffalo is a major attraction for both residents of Erie County and those who visit our area; and

WHEREAS, Woodlawn Beach offers a unique one-mile long natural sand beach along the shoreline of Lake Erie with views of downtown Buffalo; and

WHEREAS, Woodlawn Beach also supports a diversity of wildlife habitats including one of the finest freshwater sand dune areas remaining on Lake Erie; and

WHEREAS, the Nature Center at the Woodlawn Beach offers exhibits that highlight the park's natural history, and is used as a special events space for parties and gatherings for Western New York residents; and

WHEREAS, Knox Farm State Park in East Aurora is a new treasure in the State Parks system that offers both historical and environmental attractions for visitors; and

WHEREAS, the acquisition of Ess Kay Farm by New York State, which then became Knox Farm State Park, represented an opportunity to preserve threatened grasslands, an important habitat that is disappearing throughout the Northeast; and

WHEREAS, Woodlawn Beach and Knox Farm State Parks are two important park and recreation areas in Erie County that add to the allure for out of town visitors coming to Erie County and offer recreational opportunities to visitors and residents alike thereby increasing tourism dollars for our local economy; and

WHEREAS, New York State, in facing a significant fiscal crisis, is threatening to close Woodlawn Beach State Park, Knox Farm State Park and Niagara Falls State Park in Western New York; and

WHEREAS, the proposed cuts to the State Parks Budget in New York would only save \$6.5 million, which equals less than half a percent of the projected \$8.2 billion State deficit, but would cost the County of Erie in lost resources for residents and tourism dollars for the area; and

WHEREAS, neglecting Woodlawn Beach and Knox Farm and other State Parks during the closure will necessitate great cost and effort in order to reopen the Parks following the budget crisis.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body stands opposed to the proposed cuts by New York to State Parks, particularly to the closure of Woodlawn Beach State Park and Knox Farm State Park in Erie County, and Niagara Falls State Park in Niagara County and urges the New York State Legislature to rescind this cut and keep State Parks throughout the State open; and be it further resolved

RESOLVED, that a copy of this Certified Resolution be sent to Governor David Paterson, Assembly Speaker Sheldon Silver, Majority Leader John Sampson, State Parks Commissioner Carol Ash and the members of the WNY State Delegation.
(5-0) Legislator Mills not present for vote.

**BARBARA MILLER-WILLIAMS
AS CHAIR OF THE ERIE COUNTY LEGISLATURE**