

June 1, 2010

FINANCE & MANAGEMENT COMMITTEE  
REPORT NO. 4

ALL MEMBERS PRESENT EXCEPT, LEGISLATOR MARINELLI.  
CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 6D-2 (2010)  
**DIRECTOR OF REAL PROPERTY TAX SERVICES:** "Letter in Response to the "Audit of the Payment In Lieu of Tax "Pilot" Process for the Period 1/1/06 - 12/31/08"  
(5-0)
  - b. COMM. 9E-2 (2010)  
**COMPTROLLER:** "First Quarter 2010 Financial Report"  
(5-0)
  - c. COMM. 9E-3 (2010)  
**COMPTROLLER:** "Certificate of Determination Relative to the Sale & Issuance of Bonds"  
(5-0)
  - d. COMM. 9E-7 (2010)  
**COMPTROLLER:** "First Quarter 2010 Sales Tax Revenues"  
(5-0)
  - e. COMM. 9D-1 (2010)  
**DIRECTOR OF BUDGET & MANAGEMENT:** "Copy of Vacancy Report"  
(5-0)
  - f. COMM. 9D-2 (2010)  
**DIRECTOR OF BUDGET & MANAGEMENT:** "Copy of (BMR) Budget Monitoring Report"  
(5-0)
  - g. COMM. 9D-7 (2010)  
**DIRECTOR OF BUDGET & MANAGEMENT:** "Letter to Legislature Concerning Comm. 7E-14 (2009) & 7E-15 (2009) Currently in the Finance & Management Committee"  
(5-0)

- h. COMM. 9M-14 (2010)  
**ECIDA:** "Information on Meeting Held 4/13/2010 on Audit of Payment in Lieu of Taxes "PILOT"  
(5-0)

2. INTRO 9-3 (2010)  
**RATH**  
WHEREAS, in an effort to attract, retain and expand businesses and jobs in New York State, the New York State legislature has created tax incentive programs to assist and encourage business in New York State; and

WHEREAS, these programs include an Alternative Fuels Credit, Credit for Employment of Persons with Disabilities, Special Additional Mortgage Recording Tax Credit, Investment Tax Credit, Rehabilitation of Historic Properties Credit, Companies who Provide Transportation to Individuals with Disabilities, Clean Heating Fuel Credit, Biofuel Production Credit, Empire State Commercial Production, Conservation Easement tax credit, Purchase of an Automated External Defibrillator, Fuel Cell Electric Generating Equipment Expenditures, EZ Wage tax credit, EZ Capital Tax credit, EZ ITC, EZ EIC, Employment Incentive credit, QEZE Tax reduction Credit, QEZE Credit on Real Property Tax, Brownfield Redevelopment Tax credit, Remediated Brownfield Real Property Taxes for Qualified Sites, Environmental Remediation Insurance Credit, Security Training tax credit, QETC Facilities Operations and Training Credit, QETC Employment Credit, QETC Capital Tax credit, Low Income Housing Credit, Green Building Credit, Credit for servicing certain mortgages, Historic Homeownership Rehabilitation, Solar Energy System Equipment credit, CAPCO Credit and the Power for Jobs Credit; and

WHEREAS, these programs have shown some success in attracting businesses to New York State and encouraging job growth; and

WHEREAS, businesses participate in these programs expecting that New York State confers the promised benefits on the participating businesses; and

WHEREAS, Governor Paterson has proposed closing New York State's multi-billion dollar budget deficit in part by renegeing on these incentives accepted by businesses to encourage them to locate and/or expand in New York State by cutting the incentives in half for the years 2010-2012; and

WHEREAS, Governor Paterson's proposal only fosters the view that New York State is unfriendly to business and hostile to job growth; and

WHEREAS, Governor Paterson's proposal is unfair and, if enacted, will drive businesses and jobs away from New York State; and

WHEREAS, eroding the tax base in this fashion will only serve to increase the tax rates for those individuals who remain in New York State; and

WHEREAS, rather than adopting a quick fix measure with disastrous long-term consequences, New York State should adopt policies which encourage business and job growth, with its consequential expansion of the tax base, and reduce spending.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature opposes Governor Paterson's proposal to cut tax incentives for businesses who acted to locate and/or expand in New York State; and be it further

RESOLVED, that copies of this resolution be forwarded to Governor David Paterson, Assembly Speaker Sheldon Silver, Majority Leader Pedro Espada, Jr. and the local delegation to the New York State Legislature.  
(5-0)

3. COMM. 9E-33 (2010)  
**COUNTY EXECUTIVE**

WHEREAS, pursuant to prior legislative authorization, a public auction of county-owned properties was conducted for Erie County at the Erie County Legislative Chambers, on May 12, 2010; and

WHEREAS, at said public auction, bids totaling the sum of \$2,300.00 were accepted as to (13) thirteen properties, as set forth on the list attached hereto; and.

NOW, THEREFORE, BE IT

RESOLVED, that as to those thirteen (13) properties, the sale of same is hereby approved, confirmed and ratified; and be it further

RESOLVED, that the County Executive, provided that the full amount of the bid and applicable fees and commissions have first been paid, is hereby authorized and directed to execute, deliver and record a Quit-Claim Deed conveying to the particular bidder-designated purchaser(s) all of the County of Erie's right, title and interest in and to the properties whose public auction sale is approved herein; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, Assistant County Attorney, Gregory Kammer of the Department of Law, the Erie County

Real Property Tax Services Office, Department of Budget and Management, and the Office of the Comptroller.  
(5-0)

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