

JUNE 1, 2006

FINANCE & MANAGEMENT COMMITTEE
REPORT NO. 9

ALL MEMBERS PRESENT. LEGISLATOR MARINELLI PRESENT AS EX-OFFICIO MEMBER.

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

a. COMM. 9E-24 (2006)
COUNTY EXECUTIVE: 2005 Year End Budget Balancing Amendmen
(5-0)

2. COMM. 2D-3 (2006)
BUDGET, MANAGEMENT & FINANCE

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 206175 through 206187 inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable towns and / or cities.

FISCAL YEAR	2006	Petition No.	206175	
	OWNER	Cancel	\$224.35	
S-B-L	89.80-1-17.2		140200 BUFFALO	
	Acct. No. 112		\$224.35	County
	Acct. No. 132		\$0.00	Town/SpecialDist/School
<u>Charge To :</u>	140200 BUFFALO			\$0.00

CANCEL - UNLAWFUL ENTRY PARCEL WAS ACQUIRED ON JUNE 8, 2005 BY THE US GOVERNMENT. THE 2005 TAX WILL BE PRORATED FROM DATE OF ACQUISTION IN THE AMOUNT OF \$81.91 DUE. THE 2006 TAX OF \$ 162.10 WILL BE CANCELLED. Rptl 550(7)a & 401

FISCAL YEAR	2006	Petition No.	206176	
	OWNER	Cancel	\$699.69	
S-B-L	111.45-4-1.1		140200 BUFFALO	
	Acct. No. 112		\$699.69	County
	Acct. No. 132		\$0.00	Town/SpecialDist/School
<u>Charge To :</u>	140200 BUFFALO			\$0.00

CANCEL - UNLAWFUL ENTRY, THE FEDERAL GOVERNMENT ACQUIRED THESE PARCELS ON JUNE 13, 2005. THESE PARCELS BECAME WHOLLY EXEMPT ON THE DATE OF ACQUISTION. RPTL 550(7)A & 401.

FISCAL YEAR	2006	Petition No.	206177	
	OWNER	Cancel	\$210.31	
S-B-L	133.30-5-39		140200 BUFFALO	
	Acct. No. 112		\$210.31	County
	Acct. No. 132		\$0.00	Town/SpecialDist/School
<u>Charge To :</u>	140200 BUFFALO			\$0.00

CANCEL - CLERICAL ERROR, THIS PARCEL IS VACANT LAND ONLY. THE ASSESSED VALUE WAS 46,700 AND SHOULD BE 5,700. RPTL 550(3)A

FISCAL YEAR	2003	Petition No.	206178	
	ASSESSOR	Refund	\$393.96	
S-B-L	14.12-1-5		142289 AMHERST	
	Acct. No. 112		\$0.00	County
	Acct. No. 132		\$393.96	Town/SpecialDist/School

41854 BASIC STAR EXEMPTION \$393.96
Charge To: 142289 AMHERST \$0.00

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000
WAS OMITTED FROM THE PARCEL IN ERROR. RPTL 550(2)C
CHECK FOR: RICK SMOYER SWEET HOME

FISCAL YEAR 2004 Petition No. 206179
ASSESSOR Refund \$414.74
S-B-L 14.12-1-5 142289 AMHERST
Acct. No. 112 \$0.00 County
Acct. No. 132 \$414.74 Town/SpecialDist/School
41854 BASIC STAR EXEMPTION \$414.74
Charge To: 142289 AMHERST \$0.00

REFUND- CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000
WAS OMITTED FROM THE PARCEL IN ERROR. RPTL 550(2)C
CHECK FOR: RICK D SMOYER SWEET HOME

FISCAL YEAR 2005 Petition No. 206180
ASSESSOR Refund \$446.37
S-B-L 14.12-1-5 142289 AMHERST
Acct. No. 112 \$0.00 County
Acct. No. 132 \$446.37 Town/SpecialDist/School
41854 BASIC STAR EXEMPTION \$446.37
Charge To: 142289 AMHERST \$0.00

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 31,870
WAS OMITTED FROM THE PARCEL IN ERROR. RPTL 550(2)C

CHECK FOR: RICK D SMOYER SWEET HOME

FISCAL YEAR 2004 Petition No. 206181
ASSESSOR Refund \$369.12
S-B-L 82.05-3-3 142289 AMHERST
Acct. No. 112 \$0.00 County
Acct. No. 132 \$369.12 Town/SpecialDist/School
Charge To: 142289 AMHERST \$369.12

REFUND - CLERICAL ERROR, PARCEL USES A PRIVATE CONTRACTOR FOR GARBAGE
PICKUP. THE REFUSE TAX WAS PLACED ON THE PARCEL IN ERROR. RPTL 550(2)E
CHECK FOR: WILLIAM A STAHLKA

FISCAL YEAR 2006 Petition No. 206182
ASSESSOR Cancel \$71.08
S-B-L 80.08-4-41 142201 WILLIAMSVILLE
Acct. No. 112 \$0.00 County
Acct. No. 132 \$71.08 Town/SpecialDist/School
Charge To: 142201 WILLIAMSVILLE \$71.08

Relevy Village \$71.08 Village of WILLIAMSVILLE
CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON
THE TAX ROLL. THE ASSESSMENT SHOULD BE 85,000 NOT 100,000. RPTL 550(2)A

FISCAL YEAR 2005 Petition No. 206183
ASSESSOR Refund \$389.40
S-B-L 82.05-3-3 142289 AMHERST
Acct. No. 112 \$0.00 County
Acct. No. 132 \$389.40 Town/SpecialDist/School
Charge To: 142289 AMHERST \$389.40

REFUND - CLERICAL ERROR, THE PARCEL HAS A PRIVATE CONTRACTOR TO REMOVE THE GARBAGE. GARBAGE TAX PLACED ON PARCEL IN ERROR. RPTL 55092)E
CHECK FOR: WILLIAM A STAHLKA

FISCAL YEAR	2006	Petition No.	206184
	ASSESSOR	Cancel	\$444.42
S-B-L	170.00-2-25.2		144889 HAMBURG
	Acct. No. 112		\$89.63 County
	Acct. No. 132		\$354.79 Town/SpecialDist/School
	48027 FIRE D#3 SCRATON	\$21.12	
<u>Charge To:</u>	144889 HAMBURG		\$333.67
	Relevy School	\$201.96144804 FRONTIER CENTRAL	

CANCEL – UNLAWFUL ENTRY, PARCEL IS OWNED BY NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND IS WHOLLY EXEMPT FROM TAXES UNLESS THEY RECEIVE A BENEFIT AND THIS PARCEL IS VACANT LAND. RPTL 550(7)A

FISCAL YEAR	2006	Petition No.	206185
	ASSESSOR	Refund	\$123.02
S-B-L	289.05-1-2.1		145889 NORTH COLLINS
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$123.02 Town/SpecialDist/School
<u>Charge To:</u>	145889 NORTH COLLINS		\$123.02

REFUND - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR TWO UNITS OF GARBAGE TAX. THIS SHOULD ONLY BE ONE UNIT. RPTL 550(2)E
CHECK FOR: ANDREA C DEMAIORIBUS

FISCAL YEAR	2006	Petition No.	206186
	ASSESSOR	Refund	\$127.23
S-B-L	303.00-4-6.12		145889 NORTH COLLINS
	Acct. No. 112		\$127.23 County
	Acct. No. 132		\$0.00 Town/SpecialDist/School
<u>Charge To:</u>	145889 NORTH COLLINS		\$0.00

REFUND - CLERICAL ERROR, THE DISABILITY EXEMPTION IN THE AMOUNT OF 25,055 (50%) FOR COUNTY TAX WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)
CHECK FOR: DAWN RIORDAN

FISCAL YEAR	2006	Petition No.	206187
	ASSESSOR	Refund	\$335.94
S-B-L	185.00-4-19.1		146089 ORCHARD PARK
	Acct. No. 112		\$335.94 County
	Acct. No. 132		\$0.00 Town/SpecialDist/School
<u>Charge To:</u>	146089 ORCHARD PARK		\$0.00

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 45,420 (20%) WAS OMITTED FROM THE PARCEL IN ERROR. RPTL 550(2)C
CHECK FOR: ROBERT J & BEVERFLY ABLE
(5-0)

3. COMM. 10E-3 (2006)

COUNTY EXECUTIVE

WHEREAS, year end budget balancing amendments are necessary to close the County's books and prepare financial statements for review by the County's independent auditors for the 2005 fiscal year, and

WHEREAS, amendments were identified in cooperation with the Erie County Comptroller's Office and in consultation with departmental accountants based on account status information produced by the Comptroller, and

WHEREAS, 2005 funding within the County Attorney's Risk Retention Fund, the Department of Senior Services, Mental Health, and Youth Bureau, is designated for reappropriation into 2006, and

WHEREAS, the amendment require no additional funding, as unanticipated revenues are used to balance expense budgets.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is provided to designate available 2005 funding within the County Attorney's Risk Retention Fund in the amount of \$2,867,425, the Department of Senior Services in the amount of \$108,590, the Board of Elections in the amount of \$118,600, Social Services \$98,41, Mental Health \$59,209, and the Youth Bureau for \$23,910, to be reappropriated into 2006, and be it further

RESOLVED, that authorization is provided to increase funding to the Convention Center based on the receipt of unanticipated Hotel Occupancy Tax revenue, as follows:

Fund Center	Department	Account		Budget Increase
Revenue				
14010	County-wide Accts. Budget	402300	Hotel Occupancy Tax	\$375,368
Expense				
1331030	Convention Center	516000	Cnt Pmts-Non-Pro Sub	\$375,368

And be it further,

RESOLVED, that the Division, Management and Finance is hereby authorized to adjust the 2005 Budget in order to facilitate the completion of 2005 financial statements, based on the attached schedule, and be it further,

RESOLVED, that the Director of Budget, Management and Finance is authorized to make any further 2005 Budget adjustments that may be required based on adjusting entries identified by the County's independent auditors, said adjustments would be made in conjunction with the Office of the Comptroller in preparation of their final financial statements, and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward certified copies of this resolution to the County Executive, the County Attorney, the Office of the Comptroller and the Division of the Budget, Management and Finance.

	Department	Account		Budget Increase
General Fund Revenue - Fund 110				
14010	Cty-wide Acct. Budget	402120	.25% Sales Tax	14,511,931
		415250	ETASC Proceeds	56,563,601
	Cty-wide Acct. Budget Total			71,075,532
12750	Special Needs	405500	State Aid Education Hand. Children	2,737,662
120	DSS	407290	State Aid Local Admin	8,598,499
Total Available Revenue General Fund				82,411,693
Expense - Fund 110				
	Department	Account		Budget Increase
100	Legislature	500010	Part Time - Wages	29,977
		500020	Regular PT - Wages	171,4225
		502000	Fringe Benefits	818,946
		504990	Reductions Per Srv	200,000
	Legislature Total			1,220,348
105	DISS	500000	Full Time - Salaries	43,413
		500010	Part Time - Wages	24,467
		500020	Regular PT - Wages	5,383
		501000	Overtime	23,658
		502000	Fringe Benefits	730,471
		515000	Utility Charges	181,010
	DISS Total			1,008,402
116	Jail Management	500010	Part Time - Wages	20,378
		500020	Regular PT Wages	19,686
		500300	Shift Differential	147,982
		500320	Uniform Allowance	36,500
		500330	Holiday Worked	96,677
		500340	Line-up Pay	21,147
		501000	Overtime	5,251,270
		502000	Fringe Benefits	5,336,047
		516020	Pro Ser Cnt and Fees	14,160
	Jail Management Total			10,943,847
120	DSS	500020	Regular PT - Wages	1,033
		500300	Shift Differential	5,975
		500330	Holiday Worked	22,293
		501000	Overtime	188,578
		502000	Fringe Benefits	7,095,529

		510000	Local Mileage Reimbursement	10,223
		525060	Safety Net Assistance (SNA)	257,206
		525070	Emerg Assist To Adults	149,162
		525080	Ed Handicapped Child	36,499
	DSS Total			7,766,498
163	Senior Services	500010	Part Time – Wages	1,157
		502000	Fringe Benefits	33,318
	Senior Services Total			7,766,498
164	Parks	500010	Part Time – Wages	58,385
		500300	Shift Differential	1,320
		500330	Holiday Worked	29,011
		501000	Overtime	13,837
		502000	Fringe Benefits	432,735
	Parks Total			535,288
500	ECMC	502000	Fringe Benefits	5,336,758
510	Erie County Home	502000	Fringe Benefits	2,146,822
10110	County Executive’s Office	500010	Part Time – Wages	5,457
		500020	Regular PT – Wages	3,706
		502000	Fringe Benefits	108,148
	County Executive’s Office			117,311
10210	Budget, Mgmt. & Fin.	500000	Full Time – Salaries	106,073
		500020	Part Time – Wages	7,004
		502000	Fringe Benefits	512,417
	Budget, Mgmt. & Fin. Total			625,494
10410	Comm. Status Women	502000	Fringe Benefits	4,291
10610	Bureau of Purchase	500000	Full Time – Salaries	60,422
		500010	Part Time – Wages	3,002
		502000	Fringe Benefits	27,631
	Bureau of Purchase Total			218,618
10710	Fleet Services	500000	Full Time – Salaries	60,422
		500010	Part Time – Wages	3,002
		502000	Fringe Benefits	27,631
	Fleet Services Totals			91,055
10810	Eq. Emp. Opportunity	500000	Full Time – Salaries	1,448
		502000	Fringe Benefits	109,639
	Eq. Emp. Opportunity Totals			111,087
112000	Comptroller	500000	Full Time – Salaries	135,058
		500330	Holiday Worked	1,459
		500350	Other Employee Payments	13,303
		502000	Fringe Benefits	728,844
		516020	Reductions Per Srv.	144,739
	Comptroller Total			1,023,403
11310	Registrar Division	500000	Full Time – Salaries	13,184
		501000	Overtime	2,647
		502000	Fringe Benefits	675,176

		504990	Reduction Per Srv.	431,023
	Registrar Division Total			1,122,030
11320	Auto Bureau Division	500000	Full Time – Salaries	54,620
		501000	Overtime	2,713
		502000	Fringe Benefits	538,241
		504990	Reduction Per Srv	431,023
	Auto Bureau Division Total			1,026,597
11400	District Attorney	500010	Part Time – Wages	1,483
		500350	Other Employee Payments	5,580
		502000	Fringe Benefits	731,575
	District Attorney Total			738,638
11510	Sheriff Division	500000	Full Time – Salaries	30,366
		500010	Part Time – Wages	13,620
		501000	Overtime	448,542
		502000	Fringe Benefits	2,557,884
	Sheriff Division Total			3,050,412
12210	Commissioner	500000	Full Time – Salaries	193,709
		500010	Part Time – Wages	11,003
		500020	Regular PT - Wages	1,224
		502000	Fringe Benefits	210,157
	Commissioner Total			416,093
12220	Building & Grounds	500000	Full Time – Salaries	202,023
		500300	Shift Differential	55,065
		500330	Holiday Worked	64,775
		500350	Other Employment Payments	12,443
		501000	Overtime	198,952
		502000	Fringe Benefits	2,073,249
		516010	Cnt Pmts – Non Pro Pur	494,939
		575040	I/F Expense - Utility	1,398,463
	Building & Grounds Total			4,499,909
12230	Weights & Measures	502000	Fringe Benefits	153,017
		575040	I/F Expense – Utility	1,239
	Weights & Measures Total			154,256
12410	MH – Program Admin.	500010	Part Time – Wages	5,000
		502000	Fringe Benefits	76,776
	MH – Program Admin. Total			81,776
12420	Forensic MH Services	500010	Part Time – Wages	8,000
		500350	Other Employee Payments	7,785
		502000	Fringe Benefits	129,951
	MH – Program Admin. Total Total			139,736
12610	Probation Divn	500020	Regular PT – Wages	8,204
		501000	Overtime	15,838
		502000	Fringe Benefits	1,149,539
		516020	Pro Ser Cnt And Fees	1,293
		559000	County Share – Grants	309,800
	Probation Divn Total			1,484,674
12620	Youth Detention	500020	Regular PT – Wages	63,752
		500330	Holiday Worked	17,304

18010	Sewer Management	500000	Full Time – Salaries	(30,019)
		500030	Seasonal Emp. Wages	13,792
		500350	Other Employee Payments	1,200
		502000	Fringe Benefits	15,027
	Sewer Management Total			-
18110	Sewer District 1,4, 5	500300	Shift Differential	6,846
		500350	Other Employee Payments	5,258
		502000	Fringe Benefits	72,950
		506200	Maintenance & Repair	(85,054)
	Sewer District 1,4, 5			-
18210	Sewer District 2	500330	Holiday Worked	18,876
		500350	Other Employee Payments	4,508
		502000	Fringe Benefits	64,873
		575040	I/F Expense Utility	49,951
		506200	Maintenance & Repair	(100,000)
		516020	Pro Ser Cnt And Fees	(37,708)
	Sewer District 2 Total			-
18310	Sewer District 3	500010	Part Time – Wages	1,429
		500020	Regular Part Time – Wages	1,772
		500330	Holiday Worked	34,197
		500350	Other Employee Payments	6,540
		502000	Fringe Benefits	40,249
		506200	Maintenance & Repair	(84,187)
	Sewer District 3 Total			-
18610	Sewer District 6	500330	Holiday Worked	11,134
		500350	Other Employee Payments	3,893
		502000	Fringe Benefits	36,459
		516020	Pro Ser Cnt And Fees	(51,486)
	Sewer District 6 Total			-
	Department	Account		Budget Increase
Utility Fund				
Revenue – Fund 140				
12110	Utility Fund	460100	Natural Gas Charges	2,500,000
		460200	NFG Pace Credit	800,131
		460500	Electricity Charges	1,200,000
	Total Available Revenue Utility Fund			4,500,131
Expense – Fund 140				
12110	Utility Fund	500000	Full Time – Salaries	19,807
		502000	Fringe Benefits	4,582
		515000	Utility Charges	4,475,742
	Total Expense Adjustment Utility Fund			4,500,131

Debt Service Fund				
Revenue – Fund 310				
17200	General Fund	445031	Int & Earn – Cap Inv	160,528
		475030	Bond Proc – Adv Refund	51,610,000
	Total Available Revenue Debt Service Fund			51,770,528
Expense – Fund 310				
17200	General Fund	550000	Principal – Bonds	160,528
		550120	Pay Refund Bond Escr	51,610,000
	Total Expense Adjustment Service Fund			51,770,528
Downtown Mall				
Revenue – Fund 240				
102	Downtown Mall	400050	Int&Pen on R P Taxes	46,983
Expense – Fund 240				
102	Downtown Mall	516010	Cnt Prmts-Non Pro Pur	46,983
	Department	Account		Budget Increase
Road Fund				
Revenue – Fund 210				
123	Highways	450000	Interfund Revenue Non-Subsidy	335,825
Expense – Fund 210				
123	Highways	520060	Town/Village Snow Contracts	702,462
		575040	I/F Expense – Utility	172,892
		506400	Highway Supplies	62,221
		505600	Auto Tr & Hvy Eq Sup	(50,927)
		515000	Utility Charges	(32,444)
		980000	ID DISS Services	(518,379)
	Total Expense Adjustment Debt Service Fund			335,825

(5-0)

4. COMM. 10E-9 (2006)
COUNTY EXECUTIVE

WHEREAS, the County of Erie currently owns in excess of 700 unimproved parcels of real property which were previously acquired through County tax foreclosure, and

WHEREAS, while the vast majority of these County-owned tax foreclosure “inventory” properties appear to be of little monetary value, mainly consisting of relatively small, narrow and/or landlocked abandoned parcels from subdivision developments, and

WHEREAS, a list of County owned properties was compiled and distributed to appropriate Erie County departments for the purpose of evaluating eligibility to be sold at a public auction, and

WHEREAS, a list of County owned properties has been provided to the County Advisory Review Committee for their pending approval, and

WHEREAS, the County Administration has developed an innovative program to sell-off County-owned but unused tax foreclosure inventory properties as well as County owned properties no longer needed for County purpose, and

WHEREAS, the goals of the program are to return County-owned properties to the tax rolls and to generate revenue for the County, and

WHEREAS, while the program's two major objectives are both worthy, an additional benefit from the program will be to reduce the County's liability risks as a property owner, not only exposure to liability for any personal injuries that may take place on the properties, but also exposure to liability for clean-up costs arising out of any illegal dumping that may take place on the properties, and

WHEREAS, the proposed program, which was developed by the Division of Budget, Management and Finance, Real Property Tax unit, aims to utilize private sector expertise to assist the County in selling-off County-owned tax foreclosure "inventory" properties as well as County Owned properties no longer needed for County purpose at no cost to the County, and

WHEREAS, all administrative fees retained by the vendor for each parcel sold, as well as all closing and transfers costs, will be paid by the new owner in addition to the purchase price of the property, and

WHEREAS, under the County Administration's timetable, the auction of County-owned tax foreclosure "inventory" properties as well as County Owned properties no longer needed for County purpose will be held June 13, 2006, and

WHEREAS, Cash Realty & Auctions, the selected vendor, will be assisting the County in preparing bid packages and in making arrangements for advertising County-owned tax foreclosure "inventory" properties to potential buyers, and

WHEREAS, special efforts will be undertaken by the vendor to notify adjacent property owners of the auction date so as to allow such property owners to expand the boundaries of their properties and thereby resolving existing neighborhood ownership disputes while simultaneously meeting the County's overall objectives.

NOW, THEREFORE, BE IT

RESOLVED, that the County Legislature does hereby authorize the County Division of Budget, Management & Finance to hold a public auction on June 13, 2006, and be it further

RESOLVED, that the County Legislature does hereby authorize the County Executive to extend the contract with Cash Realty & Auctions, 1325 Main Street, Buffalo New York 14209, as provided in the original contract that was authorized by the Erie County Legislature in 2003 for real estate auction and bid services relating to the sale of County-owned tax foreclosure "inventory" properties as well as County Owned properties no longer needed for County purpose, and be it further

RESOLVED, that said contract shall provide that the vendor's compensation for all services rendered there under will be fixed at 10% of the successful bid for each parcel sold, said percentage to be charged to and paid by the purchasers of the County-owned tax foreclosure "inventory" properties as well as County Owned properties no longer needed for County purpose sold, in addition to the bid price, transfer, documentation fee(s) and closing costs, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the County Attorney, the Director of Budget, Management and Finance, the County Comptroller and the Finance Department.
(5-0)

DEMONE A. SMITH
CHAIRMAN