

June 17, 2004

FINANCE & MANAGEMENT  
COMMITTEE  
REPORT NO. 10

ALL MEMBERS PRESENT.

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

a. 

Item	Page	-2003	(Comm. 9E-13)
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**HOLT:** Copy of Letter to Mayor of City of Buffalo Re: Snowplowing.  
(5-0)

b. 

Item	Page	-2003	(Comm. 10E-1)
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**HOLT:** Copy of Letter to Budget Director Re: ECMC Budget.  
(5-0)

c. 

Item	Page	-2003	(Intro. 11-8)
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**MARINELLI, DEBENEDETTI & FISHER:** Proposing Alternatives for City-County Cooperation.  
(5-0)

d. 

Item	Page	-2003	(Comm. 16E-2)
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**LARSON:** Consolidation of Finance & Management Committee Items Re: Sharing of 1% Sales Tax.  
(5-0)

e. 

Item	Page	-2003	(Intro. 18-15)
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**DEBENEDETTI:** County Assistance for City of Buffalo.  
(5-0)

f. 

Item	Page	-2004	(Comm. 1E-22)
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**COUNTY EXECUTIVE:** Notification that Intro 25-7 (2003) is Null & Void.  
(5-0)

g. 

Item	Page	-2004	(Comm. 6E-2)
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**COMPTROLLER:** Copy of Letter to ECMCC Issuing Second Request for Supporting Documentation for all Issuance & Incidental Costs Paid from Sale of ECMCC.  
(5-0)

h. 

Item	Page	-2004	(Comm. 6E-5)
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**COMPTROLLER:** Details on Cash-Outs & a Salary Adjustment Paid to High-Ranking M/C Employees.  
(5-0)

i. 

Item	Page	-2004	(Comm. 7M-14)
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**AUDIT COMMITTEE:** 2003 Annual Report.

(5-0)

- j. Item Page -2004 (Comm. 8E-5)  
**DEBENEDETTI:** Letter to Budget Director Re: \$85 Million in Unanticipated Revenue from the Sale of ECMC to ECMCC.  
 (5-0)
- k. Item Page -2004 (Comm. 8E-8)  
**DEBENEDETTI:** Letter to Budget Director Re: Request for Information Concerning ECMC's \$9 Million Deficit in 2003.  
 (5-0)
- l. Item Page -2004 (Comm. 9D-15)  
**BUDGET, MANAGEMENT & FINANCE:** Response to Request for ECMC Financial Information.  
 (5-0)
- m. Item Page -2004 (Comm. 10E-3)  
**DEBENEDETTI:** Letter to Empire State Development Re: Incentives to Bass Pro Shops.  
 (5-0)
- n. Item Page -2004 (Comm. 11D-4)  
**BUDGET, MANAGEMENT & FINANCE:** Response to Request for Information on 2004 Pension Costs.  
 (5-0)
- o. Item Page -2004 (Comm. 11E-2)  
**COMPTROLLER:** Response to Request for Documentation to Support Payments Made for Services Provided with Sale of ECMC.  
 (5-0)
- p. Item Page -2004 (Comm. 13D-1)  
**ECMCC:** Financial Statements 4/04.  
 (5-0)
- q. Item Page -2004 (Comm. 13D-12)  
**OFFICE OF THE COMPTROLLER:** Erie County Operation of City Parks – Use of Tobacco Funds.  
 (5-0)
- r. Item Page -2004 (Comm. 13E-2)  
**COMPTROLLER:** Apportionment & Distribution of 4% Sales Tax for 5/04.  
 (5-0)
- s. Item Page -2004 (Comm. 13E-7)  
**DEBENEDETTI:** Copy of Letter to Budget Director Re: ECMCC 2003 Deficit.

(5-0)

- t. Item Page -2004 (Comm. 13E-12)  
**COUNTY CLERK:** Report of Receipts & Disbursements of Mortgage Tax Collected 10/1/03 – 4/30/04.  
 (5-0)

- u. Item Page -2004 (Comm. 13M-2)  
**CENTRAL MCKINLEY TAXPAYERS ASSOCIATION:** Request for Information on Medicaid Spending.  
 (5-0)

**AS AMENDED**

- 2. Item Page -2004 (Comm. 1D-21)  
**DIRECTOR OF 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 204209 through 204223 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	2002	Petition No.	204209
ASSESSOR	Refund	\$50.00	
S-B-L	69.20-4-35./D	142289	AMHERST
Acct. No. 112	\$0.00		County
Acct. No. 132	\$50.00		Town/SpecialDist/School
<u>Charge To</u> :	142289	AMHERST	\$50.00

REFUND - CLERICAL ERROR, THE PRE TREAT SURCHARGE WAS PLACED ON THIS PARCEL IN ERROR. RPTL 550(2)E  
 CHECK FOR: JAMEY L MORAN

FISCAL YEAR	2003	Petition No.	204210
ASSESSOR	Cancel	\$50.00	
S-B-L	142289	AMHERST	

Acct. No. 112	\$0.00		County	
Acct. No. 132	\$50.00	Town/SpecialDist/School		
<u>Charge To</u> :142289 AMHERST				\$50.00

REFUND - CLERICAL ERROR, PRE TREATMENT CHARGE PUT ON PARCEL IN ERROR.

RPTL 550(2)E

CHECK FOR: JAMEY L MORAN

FISCAL YEAR	2004	Petition No.	204211
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ASSESSOR	Refund	\$50.00
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S-B-L	69.20-4-35./D5	142289 AMHERST
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Acct. No. 112	\$0.00		County	
Acct. No. 132	\$50.00	Town/SpecialDist/School		
<u>Charge To</u> :142289 AMHERST				\$50.00

REFUND - CLERICAL ERROR, THE PRE TREAT SURCHARGE WAS PLACED ON PARCEL IN ERROR. RPTL 550(2)E

CHECK FOR: JAMEY L MORAN

FISCAL YEAR	2004	Petition No.	204212
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ASSESSOR	Refund	\$291.00
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S-B-L	207.11-1-10	144489 EVANS
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Acct. No. 112	\$0.00		County	
Acct. No. 132	\$291.00	Town/SpecialDist/School		
	44093 ERIE CO SEW DST 2	\$291.00		
<u>Charge To</u> :144489 EVANS				\$0.00

REFUND - CLERICAL ERROR, THE FRONTAGE WAS ENTERED INCORRECTLY ON

THE TAX ROLL AND WAS CHARGED FOR 2 UNITS WHEN IT SHOULD BE 1 UNIT.

RPTL 550(2)E CHECK FOR: SHAWN W LOGAN

FISCAL YEAR	2004	Petition No.	204213
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ASSESSOR	Refund	\$84.40
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S-B-L 235.06-3-15.1 144489 EVANS

Acct. No. 112	\$0.00	County	
Acct. No. 132	\$84.40	Town/SpecialDist/School	
44069	ERIE CO SEW DIST 2	\$84.40	
44069	ERIE CO SEW DIST 2	\$84.40	
44069	ERIE CO SEW DIST 2	\$84.40	
44069	ERIE CO SEW DIST 2	\$84.40	
<u>Charge To</u> :144489 EVANS			\$-253.20

REFUND - CLERICAL ERROR, THE FOOTAGE WAS CALCULATED  
INCORRECTLY ON  
THE TAX ROLL. RPTL 550(2)E  
CHECK FOR: EUGENE STRIANESE

FISCAL YEAR 2004 Petition No. 204214

ASSESSOR Cancel \$185.29

S-B-L 151.78-3-9 144801 BLASDELL

Acct. No. 112	\$0.00	County	
Acct. No. 132	\$185.29	Town/SpecialDist/School	
<u>Charge To</u> :144801 BLASDELL			\$185.29

Relevy Village \$185.29 Village of BLASDELL  
CANCEL =- CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT  
OF  
14,800 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR 2003 Petition No. 204215

ASSESSOR Cancel \$73.75

S-B-L146489 TONAWANDA

Acct. No. 112	\$0.00	County	
Acct. No. 132	\$73.75	Town/SpecialDist/School	
<u>Charge To</u> :146489 TONAWANDA			\$73.75

Relevy Village \$73.75 Village of TONAWANDA  
REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF  
11,125 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C  
CHECK FOR: DORIS BATEN

FISCAL YEAR 2003 Petition No. 204216

ASSESSOR Refund \$134.49

S-B-L 66.78-2-4 146401 KENMORE

Acct. No. 112 \$0.00 County  
 Acct. No. 132 \$134.49 Town/SpecialDist/School  
Charge To :146401 KENMORE \$134.49

Relevy Village \$134.49 Village of KENMORE  
 REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF  
 11,125 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK FOR: DORIS BATEN

FISCAL YEAR 2004 Petition No. 204217

ASSESSOR Cancel \$156.77

S-B-L 66.78-2-4 146401 KENMORE

Acct. No. 112 \$0.00 County  
 Acct. No. 132 \$156.77 Town/SpecialDist/School  
Charge To :146401 KENMORE \$156.77

Relevy Village \$156.77 Village of KENMORE  
 CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF  
 11,125 WAS OMITTED FROM THE TAX ROLL IN ERROR. RPTL 550(2)C

FISCAL YEAR 2004 Petition No. 204218

ASSESSOR Refund \$76.28

S-B-L 66.78-2-4 146489 TONAWANDA

Acct. No. 112 \$42.17 County  
 Acct. No. 132 \$34.11 Town/SpecialDist/School  
Charge To :146489 TONAWANDA \$34.11

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF  
 11,125 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK FOR: DORIS BATEN

FISCAL YEAR 2003 Petition No. 204219

ASSESSOR Refund \$138.70

S-B-L 66.78-6-17 146489 TONAWANDA

Acct. No. 112	\$80.59	County	
Acct. No. 132	\$58.11	Town/SpecialDist/School	
<u>Charge To</u> :146489 TONAWANDA			\$58.11

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 13,800 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C  
CHECK FOR: PHYLLIS MERCURIO

FISCAL YEAR 2003 Petition No. 204220

ASSESSOR Refund \$255.71

S-B-L 66.78-6-17 146401 KENMORE

Acct. No. 112	\$0.00	County	
Acct. No. 132	\$255.71	Town/SpecialDist/School	
<u>Charge To</u> :146401 KENMORE			\$255.71

Relevy Village \$255.71 Village of KENMORE  
REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 13,800 WAS OMITTED FROM THE TAX ROLL IN ERROR. RPTL 550(2)C  
CHECK FOR: PHYLLIS MERCURIO

FISCAL YEAR 2004 Petition No. 204221

ASSESSOR Cancel \$278.49

S-B-L 66.758-6-17 146401 KENMORE

Acct. No. 112	\$0.00	County	
Acct. No. 132	\$278.49	Town/SpecialDist/School	
<u>Charge To</u> :146401 KENMORE			\$278.49

Relevy Village \$278.49 Village of KENMORE  
CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 13,800 WAS REMOVED FROM THE TAX ROLL IN ERROR. RPTL 550(2)C

FISCAL YEAR 2004 Petition No. 204222

ASSESSOR Refund \$49.06

S-B-L 81.06-3-65 142201 WILLIAMSVILLE

Acct. No. 112	\$0.00	County	
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WHEREAS, the Jewish Community Center of Greater Buffalo has requested County funds in the amount of \$25,000 for this project, and such funds would be used in combination with private sector and earned revenue resources,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into the necessary agreement to provide funds to the Jewish Community Center of Greater Buffalo, in the amount of \$25,000, for purposes noted above; and be it further

RESOLVED, that the source of funds in the amount of \$25,000 for this agreement were re-appropriated in the Regionalism/Economic Development Fund in Cost Center 1335010, and these funds shall be transferred to Cost Center 1332010, Community/Neighborhood Development Agencies, to be further designated as follows:

Jewish Community Center of Greater Buffalo <i>Tree of Life Terrace and Playground</i>	\$25,000
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and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive; the County Comptroller; the Director of the Division of Budget, Management and Finance; the Commissioner of the Department of Environment and Planning; and Hy Tabachnick, Acting Director, Jewish Community Center of Greater Buffalo, 787 Delaware Avenue, Buffalo, New York 14209. (5-0)

**AS AMENDED**

4. Item Page -2004 (Intro. 13-5)  
**DEBENEDETTI, WEINSTEIN, MARINELLI, SMITH & KUWIK**  
WHEREAS, the County of Erie employs approximately 9,000 employees in various capacities, including through the General Fund, the Road Fund, Social Services Fund, Grant Fund, the Buffalo and Erie County Public Library System, and Erie County Medical Center Corporation, and

WHEREAS, for the fiscal health and well-being of the County government and in the interest of accountability for the taxpayers, it is essential that budgeted and funded but vacant positions in County government be monitored and either filled or eliminated to save money, and

WHEREAS, while detailed information concerning such budgeted vacancies is routinely produced and monitored by the County Administration, no information is regularly or routinely shared with the legislative branch, and

WHEREAS, the prime function of the legislative branch is to serve as a fiscal agent and a check and balance regarding county finances, and

WHEREAS, the Legislature is unable to fulfill that mandated role without accurate, up-to-date information concerning position vacancies, and

WHEREAS, the Legislature has not been regularly or routinely availed of such vacancy information and has not been provided with position vacancy reports and information for many years, and

WHEREAS, published reports indicate that the County of Erie may be forced to lay-off county employees in 2004 due to serious fiscal constraints, and

WHEREAS, the County Comptroller has not conducted an audit or review of position vacancies since April 2002, and

WHEREAS, by way of example, for more than 15 years, the County Executive has been required to submit monthly budget monitoring reports to the Legislature as a means for Legislators to monitor the County's fiscal situation,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby reaffirms its mission as a fiscal agent for Erie County, and as a check and balance on the powers of the executive branch, and be it further

RESOLVED, that given the technological and financial advances made in county government through the implementation of ERP/SAP, the Erie County Legislature hereby calls on the County Executive, Commissioner of Personnel, and Budget Director to immediately start providing bi-weekly position vacancy and position inventory reports to the Legislature, and be it further

RESOLVED, that this Honorable Body calls on the County Comptroller to initiate an audit of vacant, unfilled positions in Erie County government, including ECMCC, and all funds, and to report the results to the Legislature expeditiously, and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, Commissioner of Personnel, Budget Director, and County Comptroller.

**Fiscal Impact:** None for this resolution.  
(5-0)

**ALBERT DEBENEDETTI**  
**CHAIRMAN**