

April 22, 2004

FINANCE & MANAGEMENT
COMMITTEE
REPORT NO. 6

ALL MEMBERS PRESENT.

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

Item	Page	-2003	(Comm. 9E-14)
KUWIK:	Copy of Letter to Mayor of City of Lackawanna Re: Snowplowing.		
(5-0)			
 - b.

Item	Page	-2003	(Comm. 9E-21)
HOLT:	Copy of Letter to Budget Director Re: Tobacco Settlement Proceeds.		
(5-0)			
 - c.

Item	Page	-2003	(Comm. 9E-22)
HOLT:	Copy of Letter to Budget Director Re: Sale of Tax Liens to NYS.		
(5-0)			
 - d.

Item	Page	-2003	(Comm. 20E-14)
DEBENEDETTI:	Copy of Letter to Budget Director Re: Tobacco Securitization.		
(5-0)			
 - e.

Item	Page	-2003	(Comm. 25E-3)
DEBENEDETTI:	Copy of Letter to County Attorney Re: Risk Retention Fund.		
(5-0)			
 - f.

Item	Page	-2004	(Comm. 4D-11)
COUNTY ATTORNEY:	Letter to Legislator DeBenedetti Re: Response to Questions Regarding EC Risk Retention Fund.		
(5-0)			
 - g.

Item	Page	-2004	(Intro. 6-21)
HOLT, MAJORITY CAUCUS:	Appointment of Commissioner of Social Services.		
(5-0)			
 - h.

Item	Page	-2004	(Comm. 8D-15)
BUDGET, MANAGEMENT & FINANCE:	Parks – Report of Unauthorized Use of Erie County’s Sales Tax Exempt Status.		
(5-0)			
 - i.

Item	Page	-2004	(Comm. 8E-6)
DEBENEDETTI:	Letter to County Attorney Re: Status of a Position in the Social Services Department.		
(5-0)			

2 a. Item Page -2004 **AS AMENDED**
(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 investigate the validity of such applications (see attached listing)

NOW THEREFORE, BE IT

RESOLVED, that petitions numbered 204138 through 204181 inclusive be hereby approved 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. **204138**

ASSESSOR **Cancel** \$19,267.16

S-B-L 141.51-3-1.1 **140900 LACKAWANNA**

Acct. No. 112 \$19,267.16 County
Acct. No. 132 \$0.00 Town/SpecialDist/School

Charge To : **140900 LACKAWANNA** **\$0.00**

CANCEL - CLERICAL ERROR, EXEMPTION FOR MUNICIPAL HOUSING (18080) WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR 2003 Petition No. **204139**

ASSESSOR **Cancel** \$168.95

S-B-L 56.11-6-22 **142289 AMHERST**

Acct. No. 112 \$77.93 County
Acct. No. 132 \$91.02 Town/SpecialDist/School

Charge To : **142289 AMHERST** **\$91.02**

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 17,160 (20%) WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C
CHECK IN FAVOR OF: WM & RITA HUFF

FISCAL YEAR 2003 Petition No. **204140**

 ASSESSOR **Refund** \$111.95

S-B-L 56.11-6-22 **142289 AMHERST**

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$111.95 Town/SpecialDist/School

Charge To : **142289 AMHERST** **\$111.95**
 Relevy School \$111.95 142203 WILLIAMSVILLE CENT

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 5,720 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C
CHECK IN FAVOR OF: WM & RITA RUFF

FISCAL YEAR 2003 Petition No. **204141**

 ASSESSOR **Refund** \$67.94

S-B-L 165.13-4-15 **142289 AURORA**

 Acct. No. 112 \$43.25 County
 Acct. No. 132 \$24.69 Town/SpecialDist/School

Charge To : **142289 AURORA** **\$24.69**

REFUND - CLERICAL ERROR, THE COMBAT VET EXEMPTION IN THE AMOUNT OF 5,300 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
CHECK FOR: FLORIAN & ALICE GASZEWSKI

FISCAL YEAR 2002 Petition No. **204142**

 ASSESSOR **Refund** \$68.99

S-B-L 165.13-4-15 **142289 AURORA**

 Acct. No. 112 \$44.96 County
 Acct. No. 132 \$24.03 Town/SpecialDist/School

Charge To : **142289 AURORA** **\$24.03**

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 5,300 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

CHECK FOR: FLORIAN & ALICE GASZEWSKI
FISCAL YEAR 2004 Petition No. **204143**

ASSESSOR **Cancel** \$67.47

S-B-L 165.13-4-15 **142289 AURORA**

Acct. No. 112 \$44.03 County
 Acct. No. 132 \$23.44 Town/SpecialDist/School

Charge To : **142289 AURORA** **\$23.44**

REFUND - CLERICAL ERROR, THE COMBAT VETERAN EXEMPTION IN THE AMOUNT OF 5,300 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C
 CHECK FOR: FLORIAN & ALICE GASZEWSKI

FISCAL YEAR 2003 Petition No. **204144**

ASSESSOR **Cancel** \$420.67

S-B-L 174.00-2-9 **142289 AURORA**

Acct. No. 112 \$268.24 County
 Acct. No. 132 \$152.43 Town/SpecialDist/School

24020 AURORA # 1 FIRE PROTECTION \$30.87
Charge To : **142289 AURORA** **\$121.56**

CANCEL - CLERICAL ERROR, PARCEL WAS SEIZED BY THE US GOVERNMENT ON OCTOBER, 2002. THIS PARCEL IS EXEMPT. RPTL 550(7)A

FISCAL YEAR Petition No. **204145**

ASSESSOR **Cancel** \$3,601.29

S-B-L 174.00-2-10 **142289 AURORA**

Acct. No. 112 \$1,958.57 County
 Acct. No. 132 \$1,642.72 Town/SpecialDist/School

24020 AURORA # 1 FIRE PROTECTION \$310.02
Charge To : **142289 AURORA** **\$1,332.70**

CANCEL - CLERICAL ERROR, PARCEL WAS SEIZED BY THE US GOVERNMENT ON

OCTOBER, 2002. PARCEL IS EXEMPT FROM TAXES. RPTL 550(7)A

FISCAL YEAR 2003 Petition No. **204146**

ASSESSOR **Refund** \$9,051.56

S-B-L 211.00-3-21 **142600 BOSTON**

Acct. No. 112 \$0.00 County
Acct. No. 132 \$9,051.56 Town/SpecialDist/School

Charge To : **142600 BOSTON** **\$9,051.56**

REFUND - CLERICAL ERROR, THIS DISTRICT WAS ADDED IN ERROR. THE WATER DIST USED WAS260358. RPTL 550(2)E

FISCAL YEAR 2004 Petition No. **204147**

ASSESSOR **Refund** \$253.27

S-B-L 91.18-15-6 **143089 CHEEKTOWAGA**

Acct. No. 112 \$91.51 County
Acct. No. 132 \$161.76 Town/SpecialDist/School

Charge To : **143089 CHEEKTOWAGA** **\$161.76**

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 12,650 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C
CHECK FOR: LEONARD MARCINIAK

FISCAL YEAR 2003 Petition No. **204148**

ASSESSOR **Refund** \$497.03

S-B-L 113.15-3-3.111/20 **143089 CHEEKTOWAGA**

Acct. No. 112 \$0.00 County
Acct. No. 132 \$497.03 Town/SpecialDist/School

41854 BASIC STAR EXEMPTION \$497.03
Charge To : **143089 CHEEKTOWAGA** **\$0.00**

REFUND - CLERICAL ERROR, THE BASIC STAR 19,500 WAS OMITTED FROM THE PARCEL IN ERROR. RPTL 550(2)C CHEEKTOWAGA CENTRAL
CHECK FOR: CONSTANCE CHOJNACKI

FISCAL YEAR 2004 Petition No. **204149**

ASSESSOR **Cancel** \$798.90

S-B-L 335.18-1-3.2 **143889 CONCORD**

Acct. No. 112	\$619.32	County
Acct. No. 132	\$179.58	Town/SpecialDist/School
Charge To :	143889 CONCORD	\$179.58

FISCAL YEAR 2004 Petition No. **204150**

ASSESSOR **Cancel** \$107.00

S-B-L 222.00-2-1.21 **144000 EDEN**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$107.00	Town/SpecialDist/School
Charge To :	144000 EDEN	\$107.00

CANCEL - CLERICAL ERROR, THIS PARCEL IS VACANT LAND AND SHOULD NOT HAVE BEEN CHARGED FOR THE GARBAGE. RPTL 550(2)E

FISCAL YEAR 2004 Petition No. **204151**

ASSESSOR **Cancel** \$201.26

S-B-L 223.00-3-22 **144000 EDEN**

Acct. No. 112	\$105.75	County
Acct. No. 132	\$95.51	Town/SpecialDist/School
Charge To :	144000 EDEN	\$95.51

CANCEL - CLERICAL ERROR, THE TEMPORARY GREEN HOUSE EXEMPTION WAS OMITTED FROM THE TAX ROLL IN THE AMOUNT OF 19,860. RPTL 550(2)C

FISCAL YEAR 2004 Petition No. **204156**

 ASSESSOR **Cancel** \$21.35

S-B-L 145.01-5-35 **144200 ELMA**

 Acct. No. 112 \$14.99 County

 Acct. No. 132 \$6.36 Town/SpecialDist/School

 42021 SPRINGBROOK FIRE PROTECT \$4.34

Charge To : **144200 ELMA** **\$2.02**

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECLTY ON THE TAX ROLL. THE ASSESSED VALUE WAS 1000 SHOULD BE 800.
RPTL 550(2)A

FISCAL YEAR 2004 Petition No. **204157**

 ASSESSOR **Cancel** \$138.50

S-B-L 220.00-3-11.2 **144489 EVANS**

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$138.50 Town/SpecialDist/School

Charge To : **144489 EVANS** **\$138.50**

CANCEL - CLERICAL ERROR, THIS PROPERTY IS VACANT LAND AND SHOULD NOT BE CHARGED FOR GARBAGE TAX. RPTL 550(2)E

FISCAL YEAR 2004 Petition No. **204158**

 ASSESSOR **Cancel** \$789.71

S-B-L 151.20-1-5 **144889 HAMBURG**

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$789.71 Town/SpecialDist/School

 48178 EC#3 BLASDELL \$258.71

 48179 EC#3 BLASDELL \$531.00

Charge To : **144889 HAMBURG** **\$0.00**

CANCEL - CLERICAL ERROR, ECSD OWNS THIS PROPERTY AND DOES NOT PAY

TAXES TO ITSELF . IT IS EXEMPT. RPTL 550(2)C

FISCAL YEAR Petition No. **204159**

Cancel

S-B-L

	Acct. No. 112	\$0.00	County
	Acct. No. 132		Town/SpecialDist/School
54065	WATER DIST #4	\$202.58	
54065	WATER DIST #4	\$202.58	
54066	WATER DIST #4	\$11.64	
54066	WATER DIST #4	\$11.64	
<u>Charge To :</u>	145400 MARILLA		\$214.22

CANCEL - CLERICAL ERROR, AGRICULTURAL DISTRICT SHOULDE NOT BE CHARGED FOR WATER DISTRICT TAX. RPTL 550(2)E

FISCAL YEAR 2004 Petition No. **204160**

ASSESSOR **Cancel** \$122.78

S-B-L 20.0-2-27.12 **145689 NEWSTEAD**

	Acct. No. 112	\$90.72	County
	Acct. No. 132	\$32.06	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD		\$32.06

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 18,525 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR 2004 Petition No. **204161**

ASSESSOR **Cancel** \$151.85

S-B-L 33.00-3-23 **145689 NEWSTEAD**

	Acct. No. 112	\$93.04	County
	Acct. No. 132	\$58.81	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD		\$58.81

Charge To : 145689 NEWSTEAD \$180.82

CANCEL - CLERICAL ERROR, THIS PARCEL IS UNDER AGREEMENT WITH THE TOWN AND COUNTY FOR A PILOT AGREEMENT. IDA EXEMPTION OMITTED. RPTL 550(2)C

FISCAL YEAR 2004 Petition No. 204165

ASSESSOR Cancel \$220.00

S-B-L 47.19-1-2 145689 NEWSTEAD

Acct. No. 112 \$162.56 County
Acct. No. 132 \$57.44 Town/SpecialDist/School

Charge To : 145689 NEWSTEAD \$57.44

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 33,200 (40%) WAS OMITTED FROM THE TAX ROLL IN ERROR. RPTL 550(2)C

FISCAL YEAR 2004 Petition No. 204166

ASSESSOR Cancel \$9.94

S-B-L 47.19-3-43.2 145689 NEWSTEAD

Acct. No. 112 \$7.35 County
Acct. No. 132 \$2.59 Town/SpecialDist/School

Charge To : 145689 NEWSTEAD \$2.59

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSED VALUE WAS 108,000 AND SHOULD BE 106,500. RPTL 550(2)A

FISCAL YEAR 2004 Petition No. 204167

ASSESSOR Cancel \$5,176.13

S-B-L 48.00-1-2.21/A 145689 NEWSTEAD

Acct. No. 112 \$3,824.64 County

<u>Charge To :</u>	Acct. No. 132	\$1,351.49	Town/SpecialDist/School
	145689 NEWSTEAD		\$1,351.49

CANCEL - CLERICAL ERROR, THIS PARCEL IS UNDER A PILOT AGREEMENT WITH TOWN AND COUNTY . THE IDA EXEMPTION WAS OMITTED FROM THE TAX ROLL IN ERROR. RPTL 550(2)C

FISCAL YEAR 2004	Petition No.	204168
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ASSESSOR	Cancel	\$136.86
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S-B-L 85.00-2-7 145689 NEWSTEAD

<u>Charge To :</u>	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$136.86	Town/SpecialDist/School
	145689 NEWSTEAD		\$136.86

CANCEL - CLERICAL ERROR, THIS PARCEL IS CLASSIFIED AS 220 SHOULD BE 210 CHARGED FOR 2 UNITS OF REFUSE SHOULD ONLY BE ONE UNIT. RPTL 550(2)E

FISCAL YEAR 2004	Petition No.	204169
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ASSESSOR	Cancel	\$15,651.96
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S-B-L 555.00-89-1 145689 NEWSTEAD

	Acct. No. 112	\$4,023.88	County
	Acct. No. 132	\$11,628.08	Town/SpecialDist/School
	56019 NEWSTEAD FIRE PROTECT	\$837.05	
<u>Charge To :</u>	145689 NEWSTEAD		\$10,791.03
	Relevy School	\$9,730.15	145601 AKRON CENTRAL

CANCEL - CLERICAL ERROR, PARCEL IS NON-EXISTENT. RPTL 550(2)A

FISCAL YEAR 2004	Petition No.	204170
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ASSESSOR	Cancel	\$126.50
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S-B-L 269.15-4-17 145889 NORTH COLLINS

	Acct. No. 112	\$73.92	County
	Acct. No. 132	\$52.58	Town/SpecialDist/School
<u>Charge To :</u>	145889 NORTH COLLINS	\$52.58	

CANCEL- CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 16,225 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR 2004 Petition No. **204171**

ASSESSOR **Cancel** \$238.56

S-B-L 269.19-7-16 **145889 NORTH COLLINS**

	Acct. No. 112	\$139.40	County
	Acct. No. 132	\$99.16	Town/SpecialDist/School
<u>Charge To :</u>	145889 NORTH COLLINS	\$99.16	

CANCEL - CLERICAL EROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 30,500 (50%) WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR 2004 Petition No. **204172**

ASSESSOR **Cancel** \$1,607.19

S-B-L 269.16-1-20 **145889 NORTH COLLINS**

	Acct. No. 112	\$364.44	County
	Acct. No. 132	\$1,242.75	Town/SpecialDist/School
<u>Charge To :</u>	145889 NORTH COLLINS	\$1,242.75	
	Relevy School	\$1,062.89	145801 NORTH COLLINS CENT

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE YMCA AND IS EXEMPT FROM TAXES BECAUSE IT IS A NON-PROFIT AGENCY. EXEMPTION IS OMITTED FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR 2004 Petition No. **204173**

ASSESSOR **Cancel** \$272.29

S-B-L 272.10-27-132 **145889 NORTH COLLINS**

<u>Charge To :</u>	Acct. No. 112	\$64.73	County
	Acct. No. 132	\$207.56	Town/SpecialDist/School
	145889 NORTH COLLINS	\$207.56	
	Relevy School	\$155.24	144001 EDEN CENTRAL

CANCEL - CLERICAL ERROR, THIS PARCEL WAS CREATED IN ERROR .
RPTL 550(2)A

FISCAL YEAR 2004 Petition No. **204174**

ASSESSOR **Cancel** \$120.71

S-B-L 286.00-5-4 **145889 NORTH COLLINS**

<u>Charge To :</u>	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$120.71	Town/SpecialDist/School
	145889 NORTH COLLINS	\$120.71	

CANCEL - CLERICAL ERROR, THIS PARCEL IS VACANT LAND AND SHOULD NOT
BE CHARGED FOR GARBAGE TAX. RPTL 550(2)E

FISCAL YEAR 2004 Petition No. **204175**

ASSESSOR **Cancel** \$120.71

S-B-L 288.00-1-7.11 **145889 NORTH COLLINS**

<u>Charge To :</u>	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$120.71	Town/SpecialDist/School
	145889 NORTH COLLINS	\$120.71	

CANCEL - CLERICAL ERROR, THIS PARCEL IS VACANT LAND AND SHOULD
NOT BE CHARGED FOR REFUSE. RPTL 550(2)E

FISCAL YEAR 2004 Petition No. **204176**

ASSESSOR **Cancel** \$120.71

S-B-L 289.05-1-7 **145889 NORTH COLLINS**

Acct. No. 112	\$0.00	County
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Charge To : Acct. No. 132 \$120.71 Town/SpecialDist/School
145889 NORTH COLLINS \$120.71

CANCEL - CLERICAL ERROR, OWNER HAD A CONTRACT WITH A PRIVATE COMPANY FOR REFUSE REMOVAL. SHOULD NOT BE CHARGED FOR REFUSE. RPTL 550(2)E

FISCAL YEAR 2004 Petition No. **204177**

ASSESSOR **Cancel** \$137.40

S-B-L 311.08-2-26 146200 SARDINIA

Acct. No. 112 \$137.40 County
 Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : **146200 SARDINIA \$0.00**

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 19,900 FOR THE COUNTY TAX WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR 2003 Petition No. **204178**

ASSESSOR **Refund** \$1,034.43

S-B-L 66.81-2-38 146401 KENMORE

Acct. No. 112 \$0.00 County
 Acct. No. 132 \$1,034.43 Town/SpecialDist/School
Charge To : **146401 KENMORE \$1,034.43**

Relevy Village \$1,034.43 Village of KENMORE
 REFUND - CLERICAL ERROR, THE RPTL 520 WAS POSTED IN ERROR ON THE THIS PROPERTY. RPTL 550(2)A
 CHECK FOR: EMANUEL & KAREN FERRILLI

FISCAL YEAR 2004 Petition No. **204179**

ASSESSOR **Cancel** \$69.08

S-B-L 166.0-2-6 146600 WALES

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$69.08	Town/SpecialDist/School
<u>Charge To :</u>	146600 WALES		\$69.08

CANCEL - CLERICAL ERROR, THIS PARCEL WAS GRANTED A SIX MONTH EXEMPTION ON THE GARBAGE TAX. RPTL 550(2)E

FISCAL YEAR 2004	Petition No.	204180
	ASSESSOR	Cancel \$138.16

S-B-L 204.00-1-10.11 146600 WALES

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$138.16	Town/SpecialDist/School
<u>Charge To :</u>	146600 WALES		\$138.16

CANCEL - CLERICAL ERROR, THIS IS A SINGLE FAMILY HOME AND SHOULD ONLY BE CHARGED ONE UNIT OF REFUSE. RPTL 550(2)E

FISCAL YEAR 2004	Petition No.	204181
	ASSESSOR	Cancel \$276.32

S-B-L 204.00-1-11.2 146600 WALES

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$276.32	Town/SpecialDist/School
<u>Charge To :</u>	146600 WALES		\$276.32

CANCEL - CLERICAL ERROR, THIS PARCEL IS VACANT LAND AND SHOULD NOT BE CHARGED FOR GARBAGE TAX. RPTL 550(2)E
(5-0)

2 b. Item Page -2004 **AS AMENDED**
(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 204153 inclusive be hereby denied based upon the recommendation of the Director of Real Property Services

FISCAL YEAR	2004	Petition No. 204153
ASSESSOR	Cancel	\$54.14
S-B-L	238.07-1-15.2	144000 EDEN
	Acct. No. 112	\$26.09 County
	Acct. No. 132	\$28.05 Town/SpecialDist/School
40019 FIRE PROTECTION		\$3.73
	<u>Charge To :</u>	144000 EDEN \$24.32

AND CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY THE TOWN OF EDEN IS WHOLLY EXEMPT FROM TAXES. RPTL 550(7)A

This parcel was deeded over to the Town of Eden August 6, 2003 making it ineligible for the exemption on the taxes. The exemption would have had to been granted by May 1, 2003 to make it exempt for the 2004 Town and County tax Bill. Therefore, the Director of Real Property has denied this petition, making the taxes due.
(5-0)

3. Item Page -2004 **AS AMENDED**
COUNTY EXECUTIVE
(Comm. 8E-12)

WHEREAS, the following grant Programs are included in Book B of the 2004 Adopted Budget, and

WHEREAS, the 2004 Adopted Budget resolutions require legislative approval for the County Executive to enter into contracts with grantor agencies for the purpose of receiving grants awarded or budgeted for fiscal 2004.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with grantor agencies for the purpose of receiving grants, following review and approval by the Director of Budget, Management and Finance with respect to the availability of State and/or Federal funds, for the following grant programs which commence on April 1, 2004:

<u>Department</u>	<u>Grant Program</u>	<u>2004 Budget Book B Page No.</u>
140 - District Attorney	Aid to Prosecution	23
140 - District Attorney	Multijurisdictional Program	23
140 - District Attorney	Comprehensive Assault, Abuse and Rape Unit (CAAR)	24
650 -CPS	Aid to Crime Labs Program	63
650 -CPS	Aid to Localities -Laboratory Funding	63
150 - Sheriff	Unified Court Security	79
260 - Probation	Juvenile Justice Title V Grant	96*
260 – Probation	Aid to Localities -Indigent Defense	96
260 - Probation	Juvenile Justice Formula Grant	97**
200 - Social Services	Legal Assistance to the Disabled	294
620 - Env. & Pig.	Home Rehabilitation Program	437
620 - Env. & Pig.	Community Development -30th Year	437

* Begins 3/01/04

** Begins 6/01/04

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the following departments: County Executive, Central Police Services, District Attorney, Sheriff, Probation, Social Services, Law, Environment and Planning, the Office of the Comptroller and the Division of Budget, Management and Finance.

(5-0)

4. Item Page -2004 (Comm. 8E-51)
COMPTROLLER
RESOLUTION NO. ____-2004

BOND RESOLUTION DATED JULY 10, 2003 AND AMENDED _____, 2004 BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING IMPROVEMENTS TO VARIOUS COUNTY FACILITIES TO IMPLEMENT ENERGY SAVING FACILITY IMPROVEMENT MEASURES, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,500,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$3,500,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF

(Introduced) _____, 2004

(Adopted) _____, 2004

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The County of Erie, New York (herein called "County") is hereby authorized to construct improvements to the Erie County Holding Center, the Erie County Correctional Facility, the Erie County Sheriff Bunker and the Erie County Medical Facilities at 1500 Broadway and 608 William Street to implement Energy Saving Facility Improvement Measures, including but not limited to (i) retrofitting of lighting and controls, (ii) installation of premium efficiency motors -Glycol pumps, (iii) installation of variable speed drives on premium efficiency motors -glycol pumps 1 & 1A, AHU fans, (iv) installation of water-cooled air conditioning units and various other cooling equipment, (v) installation of steam traps and night setbacks, (vi) installation of various weatherization devises to reduce air infiltration and exfiltration, (vii) the installation of variable frequency drives on cooling tower fans and condenser water pumps, (viii) replacement of fire alarm systems, (ix) installation of new energy management systems, (x) installation of electric humidifiers with atomization systems, (xi) installation of energy management systems on kitchen ventilation AHU's, (xii) the installation of an integrated platform for communications of EMS, fire and security systems between County facilities utilizing an Ethernet backbone; and (xiii) further reconstruction to provide for the installation of a main server workstation having monitory and central functionality. The estimated maximum cost of said class of specific objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$3,500,000, and said amount is hereby appropriated therefore. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 2003 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$3,500,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the County in the principal amount of \$3,500,000 are hereby authorized to be issued for the class of objects or purposes described in Section 1 hereof, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness of the class of objects or purposes for which said \$3,500,000 bonds herein authorized are to be issued, pursuant to Section 11.00 a. 90 of the Law, is ten (10) years.

Section 4. The County intends to finance and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the objects or purposes described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of said Local Finance Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the respective amounts of bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, and relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution, or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.

Section (B). The amendment of the bond resolution set forth in Section (A) of this resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

Section (C). This Resolution shall take effect immediately.
(5-0)

5. Item Page -2004 (Comm. 8E-53)

COMPTROLLER

RESOLUTION NO. ____-2004

BOND RESOLUTION DATED _____, 2004

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING VARIOUS CAPITAL PROJECTS INCLUDED IN THE 2004 CAPITAL BUDGET OF THE COUNTY, STATING THE TOTAL ESTIMATED MAXIMUM COST OF SUCH PROJECTS IS \$176,307,200, APPROPRIATING \$52,461,200 THEREFOR, INCLUDING THE EXPENDITURE OF \$4,670,000 EXPECTED TO BE RECEIVED IN STATE OR FEDERAL AID; AND AUTHORIZING THE ISSUANCE OF \$47,791,200 BONDS OF THE COUNTY TO FINANCE THE BALANCE OF SAID APPROPRIATIONS; AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF CERTAIN OF SUCH CAPITAL PROJECTS AS INDICATED HEREIN, OR REDEMPTION OF ANY NOTES AND BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID NOTES AND BONDS.

(Introduced) _____, 2004

(Adopted) _____, 2004

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to undertake the various capital projects as described in column A of the attached schedule, each as more fully described in column G of the attached schedule and the duly adopted 2002, 2003 & 2004 Capital Budgets for the County. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 2002, 2003 and 2004 Capital Budgets of the County, such Budget shall be deemed and are hereby amended. The respective estimated maximum costs of (a) the specific objects or purposes set forth in rows 1, 8- 14, 19-22, 28, 32-36, 38-43 and 45 of the attached schedule, and

(b) the classes of objects or purposes set forth in rows 2-7, 15-18, 23-27, 29-31, 37 and 44 of the attached schedule, including preliminary costs and costs incidental thereto and to the financing thereof, is set forth in column B of the attached schedule, and said respective amounts are hereby appropriated therefore pursuant to the duly adopted 2002, 2003 and 2004 Capital Budgets for the County. The plan of financing includes the expenditure of \$4,670,000 in State and Federal aid expected to be received and the issuance of \$47,791,200 aggregate principal amount of bonds of the County to finance the balance of said appropriations, the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any amounts received by the County from the United States of America and/or the State of New York are hereby authorized to be expended, towards the cost of the applicable specific objects or purposes or classes of objects or purposes or the redemption of any notes and bonds issued therefore or to be budgeted as an offset to the taxes for the repayment of the principal of and interest on said notes and bonds.

Section 2. Bonds of the County in the respective principal amounts set forth in column C of the attached schedule are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law") to finance said appropriations.

Section 3. The respective periods of probable usefulness for said specific objects or purposes and classes of objects or purposes for which said \$47,791,200 bonds herein authorized are to be issued, within the limitations of § 11.00 a. of the Law, is set forth in column F of the attached schedule.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the respective specific objects or purposes and classes of objects or purposes described in Section 1 hereof, prior to the issuance of the bonds or bond anticipation notes herein authorized, out of any available funds of the County on an interim basis, which respective amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County pursuant to this Resolution, in the respective maximum amounts of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the respective amounts of bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged, to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution. and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.

(5-0)

6. Item Page -2004 (Comm. 8E-54)

COMPTROLLER

RESOLUTION NO. ____-2004

BOND RESOLUTION DATED _____, 2004

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE REMEDIATION AND REDEVELOPMENT PHASE OF THE 2001 URBAN BROWNFIELD DEVELOPMENT PROJECT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,700,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,700,000 BONDS OF THE COUNTY TO FINANCE SAID APPROPRIATIONS.

(Introduced) _____, 2004

(Adopted) _____, 2004

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Erie, New York (herein called "County"), pursuant to and in accordance with the provisions of Chapter 828 of the New York Laws of 1982 and an intermunicipal agreement with the City of Buffalo, is hereby authorizing the remediation and redevelopment phase of the 2001 Urban Brownfield Development Project at the Union Ship Canal Site, in the City of Buffalo, including acquisition and construction of various infrastructure improvements such as roads, sewage collection and disposal facilities, solid waste collection and disposal facilities, water supply facilities and drainage facilities (Phase n roadwork). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$1,700,000, and said amount is hereby appropriated therefore. To the extent that the details and amount set forth in this resolution are inconsistent with any details set forth in the 2001 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$1,700,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the County in the principal amount of \$1,700,000 are hereby authorized to be issued for the class of objects or purposes described in Section 1 hereof, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness of the specific objects or purposes for which said \$1,700,000 bonds herein authorized are to be issued, pursuant to the limitations of Section 11.00 a. 91 of the Law, is fifteen (15) years.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the objects or purposes described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Bond Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the respective amounts of bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, and relative to prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.

(5-0)

ALBERT DEBENEDETTI
CHAIRMAN