

November 12, 2015

FINANCE & MANAGEMENT COMMITTEE
REPORT NO. 14

ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 19E-8 (2015)
COMPTROLLER: “Report for Apportionment and Distribution of Net Collections from the 4.75% Sales and Compensating Use Tax for June, July and Aug 2015”
(6-0)
 - b. COMM. 19E-9 (2015)
COMPTROLLER: “External Auditor’s Management Letter for EC for the Year Ended December 31, 2014”
(6-0)
 - c. COMM. 19D-5 (2015)
DEPARTMENT OF BUDGET & MANAGEMENT: “Budget Monitoring Report for Period Ending Aug. 31, 2015”
(6-0)
 - d. COMM. 19M-6 (2015)
ASSEMBLYMAN MICHAEL P KEARNS: “Supplemental Information Regarding Erie County Foreclosures”
(6-0)
 - e. COMM. 19M-7 (2015)
TOWN OF CONCORD: “Town Resolution Regarding the Termination of 1977 Sales Tax Revenue Distribution Agreement”
(6-0)
 - f. COMM. 19M-8 (2015)
EC CITIZENS’ BUDGET REVIEW COMMISSION: “Update from Meetings”
(6-0)
 - g. COMM. 20E-1 (2015)
COUNTY EXECUTIVE: “Department of Social Services – Foster Parent Recruitment”
(6-0)

- h. COMM. 20E-18 (2015)
COMPTROLLER: “Interim Financial Report for Nine-Month Period Ending Sept. 2015”
(6-0)
- i. COMM. 20M-3 (2015)
TOWN OF CONCORD: “Town Resolution Regarding the Termination of 1977 Sales Tax Revenue Distribution Agreement”
(6-0)
- j. COMM. 20M-4 (2015)
TOWN OF GRAND ISLAND: “Town Resolution Regarding the Termination of 1977 Sales Tax Revenue Distribution Agreement”
(6-0)
- k. COMM. 20M-5 (2015)
TOWN OF ORCHARD PARK: “Town Resolution Regarding the Termination of 1977 Sales Tax Revenue Distribution Agreement”
(6-0)
1. COMM. 20M-6 (2015)
TOWN OF EVANS: “Town Resolution Regarding Support for State Legislation for the Exemption of EC Sales Tax for Retail Sale and Installation of Geothermal Heat Pump Systems”
(6-0)
2. COMM. 20E-15 (2015)
COUNTY EXECUTIVE
WHEREAS, the Director of Real Property Tax Services has recommended the transfer of Surplus County owned parcels described as Evans SBL# 250.12-7-36, Lancaster SBL# 115.14-10-69 and West Seneca SBL# 124.53-4-4; and

WHEREAS, in accordance with the County of Erie Encroachment Policy the parcels were reviewed and deemed surplus by the County Advisory Review Committee; and

WHEREAS, in accordance with the County of Erie Encroachment Policy the Director of Real Property Tax Services negotiated the transfer with the encroaching property owners;

NOW, THEREFORE BE IT

RESOLVED that County owned surplus property Evans SBL# 250.12-7-36, shall be sold to Marcia Baron for \$500, and Lancaster SBL# 115.14-10-69 be sold and split between the County of Erie, Anthony Manna and Stanley J. Blasczyk for \$1 and no more and West Seneca SBL# 124.53-4-4 be sold to Elizabeth Wopperer (Rocky's Cleaners) for \$200; and be it further;

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying any and all interest of the County of Erie in the above described property to the aforesaid purchasers; and be it further;

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the County Comptroller, the County Attorney, Department of Environment and Planning, and the Department of Real Property Tax Services.
(6-0)

3. COMM. 20E-16 (2015)
COUNTY EXECUTIVE

WHEREAS, pursuant to prior legislative authorization, a public auction of county-owned properties was conducted for Erie County in the auditorium of the Central Library of the Buffalo and Erie County Public Library on September 24, 2015, and

WHEREAS, at said public auction, bids totaling the sum of \$1,000.00 were accepted as to the three (3) properties, as set forth on the list attached below.

NOW, THEREFORE, BE IT

RESOLVED, that as to the following three (3) properties:

<u>TOWN</u>	<u>ADDRESS</u>	<u>SBL#</u>	<u>PURCHASE PRICE</u>
Hamburg	Milestrip Rd	160.08-2-13	These were sold as one for \$1,000.00
Hamburg	Milestrip Rd	160.08-2-14	
Hamburg	Milestrip Rd	160.08-2-17	

the sale of same is hereby approved, confirmed and ratified by the Erie County Legislature, and be it further

RESOLVED, that provided that the full amount of the bid and applicable fees and commissions have first been paid, the County Executive 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 transmitted to the Erie County Executive, Director of Budget and Management, Erie County Comptroller, Director of Real Property Tax Services, and County Attorney.
(6-0)

4. COMM. 20E-17 (2015)
COUNTY EXECUTIVE

WHEREAS, pursuant to Section 7-6.0 of the Erie County Tax Act, as well as specific direction of resolutions adopted by the Erie County Legislature in each of the past fifty -five (55) years, the County of Erie, each November, bids for and purchases every available Tax Certificate upon real estate for which current year real property taxes then remain unpaid; and

WHEREAS, the collection of delinquent real property taxes under this procedure has been satisfactory, potentially leading, absent redemption, to the commencement of an *in rem* tax foreclosure action against the affected properties by the County; and

WHEREAS, it is recommended that your Honorable Body direct the Director of Real Property Tax Services to bid and purchase for the County of Erie, its bid being preferred over all other offers, every 2015 Tax Certificate upon real estate for which current year real property taxes remain unpaid as of November 27, 2015, the scheduled tax sale date for 2015 Tax Certificates.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Article VII of the Erie County Tax Act, the Director of Real Property Tax Services be, and hereby is, authorized to bid for and purchase, on behalf of the County of Erie, all Tax Certificates upon real estate in Erie County for which 2015 real property taxes have not been paid; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, Joseph L. Maciejewski, Director of Real Property Tax Services, the Director of Budget and Management, the County Comptroller and County Attorney.
(6-0)

5. COMM. 20M-2 (2015)
BUFFALO PLACE INC

WHEREAS, the Erie County Legislature approved Local Law No. 8-1984, establishing a downtown pedestrian/transit mall special district; and

WHEREAS, the Erie County Legislature approved on December 19, 1985, a resolution authorizing the County Executive to enter into agreement with Downtown Buffalo Management Corporation, now known as Buffalo Place Inc., designating Buffalo Place Inc. as the not-for-profit corporation with which Erie County shall contract for the performance of mall special district services, for which annual contracts were executed in 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004; 2005, 2006, 2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014; 2015 and

WHEREAS, the said Local Law required that the mall corporation present an annual budget to the Legislature regarding the amount to be raised by mall district special charges; and

WHEREAS, pursuant to the said Local Law, Buffalo Place Inc. held a public hearing, on due notice to property owners within the district, regarding the proposed 2016 annual budget on October 27, 2015; and

WHEREAS, in October 30, 2013 the Board of Directors of Buffalo Place Inc. approved a resolution approving a payment in lieu of service charges for the HSBC Atrium Building and have included the same as part of its proposed 2016 budget.

NOW THEREFORE BE IT

RESOLVED, that the Erie County Legislature does hereby determine that the total amount to be raised by mall district service charges in 2016 shall be the sum of \$1,710,000 as contained in the attached budget which shall be a part of this Resolution, which amount does not exceed 80% of the service charges that could be assessed or levied against properties in the district; and be it further

RESOLVED, that the County of Erie be and hereby is authorized to enter into agreement with Buffalo Place Inc., the not-for-profit corporation described in Section 9 of Erie County Local Law No. 8-1984, providing for the performance by Buffalo Place Inc. of the mall special services set forth in Section 8 of said Local Law; the payment to Buffalo Place Inc. of the proceeds of the mall special district charges, less administrative costs, to be used by Buffalo Place Inc. in providing mall special district services; and such other terms and conditions as to the County Attorney appear necessary or appropriate for the implementation of Erie County Local Law No. 8-1984 and Chapter 673 of the Laws of 1982; and be it further

RESOLVED, that the Buffalo Place Inc. revenues, in addition to the special charges assessed as above set forth, include for the year 2016, \$18,000 in payment in lieu of service charges for First Niagara Center (1 Seymour H. Knox III Plaza, Buffalo, NY) and \$34,317 for HSBC Atrium Building (95 Washington Street, Buffalo, NY) totaling \$52,317 as set forth in said budget, and be it further

RESOLVED, that the Erie County Commissioner of Finance shall, not later than November 19, 2015, cause to be established a Mall District Special Charge Roll apportioning the amount herein above determined to be raised by mall district special charges and payment in lieu of special charges for 2016 in conformance with the formula set forth in Section 7 of Erie County Local Law N. 8-1984 using the latest available final general or special assessment roll prepared by The City of Buffalo; and be it further

RESOLVED, that certified copies of this resolution in its final form be forwarded to the Erie County Executive, the Mayor of the City of Buffalo, the Chairman and the Executive Director of Buffalo Place Inc., and the Erie County Commissioner of Budget and Management.
(6-0)

JOSEPH C. LORIGO
CHAIR