

March 13, 2003

FINANCE & MANAGEMENT
COMMITTEE
REPORT NO. 3

ALL MEMBERS PRESENT. CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

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

Item Page -2002 (Comm. 5D-20)
a. **BUDGET, MANAGEMENT & FINANCE:** Letter to All Legislators Re: Response from
DEP on Review of EC's Takeover of East Side Transfer Station as of 7/1/01.
(6-0) Chairman Swanick present as Ex-Officio Member.

Item Page -2003 (Intro. 1-6)
b. **DALE:** Funding for Various Community Organizations.
(6-0) Chairman Swanick present as Ex-Officio Member.

2. Item Page -2003 **AS AMENDED**
(Comm. 2D-13)
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 **203155** through **203180** inclusive be hereby approved or denied base upon the recommendation of the Director of Real Property Services and be charged back to the applicable towns and / or cities.

FISCAL YEAR 2003	Petition No.	203,155.00
ASSESSOR	Refund	\$55.70

S-B-L 26.15-5-1/12C **142289 AMHERST**

Acct. No. 112	\$23.25	County
Acct. No. 132	\$32.45	Town/SpecialDist/School
22026 AMHERST # 9 FIRE PROTECTION	\$4.82	
Charge To :	142289 AMHERST	\$27.63

REFUND - CLERICAL ERROR, THE CONDO EXEMPTION IN THE AMOUNT OF 11,000 SHOULD BE 16,000. RPTL 550(2)B
CHECK IN FAVOR OF: BEACON DEV

FISCAL YEAR 2003 Petition No. **203,156.00**

ASSESSOR **Refund** \$55.72

S-B-L 26.15-8-1./12D **142289 AMHERST**

Acct. No. 112 \$23.25 County

Acct. No. 132 \$32.47 Town/SpecialDist/School

22026 AMHERST # 9 FIRE PROTECTION \$4.82

Charge To : **142289 AMHERST** **\$27.65**

REFUND - CLERICAL ERROR, THE CONDO EXEMPTION IN THE AMOUNT OF 11,000 SHOULD BE 16,000. RPTL 550(2)B
CHECK FOR : RAY P DIEHL JR

FISCAL YEAR 2002 Petition No. **203,157.00**

ASSESSOR **Refund** \$176.67

S-B-L 56.55-1-1./7G **142289 AMHERST**

Acct. No. 112 \$0.00 County

Acct. No. 132 \$176.67 Town/SpecialDist/School

Charge To : **142289 AMHERST** **\$176.67**

Relevy School \$176.67 142203 WILLIAMSVILLE CENT

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION WAS 19,700 (25%) THIS EXEMPTION SHOULD BE IN THE AMOUNT OF 39,400 (50%). RPTL 550(2)C
CHECK FOR: ROSYLN MANN

FISCAL YEAR 2003 Petition No. **203,158.00**

ASSESSOR **Cancel** \$84.41

S-B-L 56.55-1-1./7G **142289 AMHERST**

Acct. No. 112 \$41.22 County

Acct. No. 132 \$43.19 Town/SpecialDist/School

Charge To : **142289 AMHERST** **\$43.19**

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 20,685 (35%) SHOULD BE 29,550 (50%). INCOME FOR EXEMPTION WAS CALCULATED INCORRECTLY. RPTL (2)C

FISCAL YEAR 2003 Petition No. **203,159.00**

ASSESSOR **Refund** \$42.65

S-B-L 56.62-1-1./40M5 **142289 AMHERST**

Acct. No. 112 \$20.83 County
Acct. No. 132 \$21.82 Town/SpecialDist/School

Charge To : **142289 AMHERST** **\$21.82**

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 17,920 SHOULD BE 22,400. RPTL 550(2)B
CHECK FOR: DOLORES PALCZYNSKI

FISCAL YEAR 2000 Petition No. **203,160.00**

ASSESSOR **Refund** \$428.08

S-B-L 79.32-2-7 **142289 AMHERST**

Acct. No. 112 \$0.00 County
Acct. No. 132 \$428.08 Town/SpecialDist/School

41854 BASIC STAR EXEMPTION \$428.08

Charge To : **142289 AMHERST** **\$0.00**

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 20,000 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C
CHECK FOR: TIMOTHY & MAUREEN HENDERSON AMHERST CENTRAL

FISCAL YEAR 2001 Petition No. **203,161.00**

ASSESSOR **Refund** \$656.40

S-B-L 79.32-2-7

142289 AMHERST

Acct. No. 112	\$0.00	County
Acct. No. 132	\$656.40	Town/SpecialDist/School
41854 BASIC STAR EXEMPTION	\$656.40	
<u>Charge To :</u>	142289 AMHERST	\$0.00

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C
CHECK FOR: TIMOTHY & MAUREEN HENDERSON AMHERST CENTRAL

FISCAL YEAR 2002 Petition No. **203,162.00**

ASSESSOR **Refund** \$662.64

S-B-L 79.32-2-7

142289 AMHERST

Acct. No. 112	\$0.00	County
Acct. No. 132	\$662.64	Town/SpecialDist/School
41854 BASIC STAR EXEMPTION	\$662.64	
<u>Charge To :</u>	142289 AMHERST	\$0.00

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C
CHECK FOR: MAUREEN & TIMOTHY HENDERSON AMHERST CENTRAL

FISCAL YEAR 2002 Petition No. **203,163.00**

ASSESSOR **Refund** \$497.18

S-B-L 82.09-7-10.11

142289 AMHERST

Acct. No. 112	\$0.00	County
Acct. No. 132	\$497.18	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST	\$497.18
Relevy School	\$497.18	143201 CLARENCE CENTRAL

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C

CHECK FOR: JOANNE BOLOGNESE

CLARENCE CENTRAL

FISCAL YEAR 2003 Petition No. **203,164.00**

 ASSESSOR **Cancel** \$85.05

S-B-L 283.00-2-17.2 **142889 BRANT**

 Acct. No. 112 \$36.19 County
 Acct. No. 132 \$48.86 Town/SpecialDist/School
 28020 BRANT FIRE PROTECTION \$12.28

Charge To : **142889 BRANT** **\$36.58**

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 16,500 AND SHOULD BE 9,000.
RPTL 550(2)A

FISCAL YEAR 2003 Petition No. **203,165.00**

 ASSESSOR **Cancel** \$0.86

S-B-L 30.00-4-66 **143200 CLARENCE**

 Acct. No. 112 \$0.47 County
 Acct. No. 132 \$0.39 Town/SpecialDist/School

Charge To : **143200 CLARENCE** **\$0.39**

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 28,000 AND SHOULD BE 27,900.
RPTL 550(2)A

FISCAL YEAR 2001 Petition No. **203,166.00**

 ASSESSOR **Cancel** \$377.39

S-B-L 308.03-1-11.2 **143889 CONCORD**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$377.39	Town/SpecialDist/School
<u>Charge To :</u>	143889 CONCORD	\$377.39	
	Relevy School	\$377.39	143801 SPRING-GRIFFITH

CANCEL - CLERICAL ERROR, THE RELEVY SCHOOL WAS PLACED ON THE WRONG PARCEL. THE RELEVY SCHOOL BELONGS ON SBL 308.03-1-11.11.
RPTL 550(2)I

FISCAL YEAR 2003	Petition No.	203,167.00
	ASSESSOR Cancel	\$570.46

S-B-L 250.09-2-24 144489 EVANS

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$570.46	Town/SpecialDist/School
<u>Charge To :</u>	144489 EVANS	\$570.46	

CANCEL - CLERICAL ERROR, THE DELINQUENT WATER WAS MISCALCULATED ON THE TAX ROLL. RPTL 550(2)

FISCAL YEAR 2000	Petition No.	203,168.00
	ASSESSOR Refund	\$441.06

S-B-L 105.00-3-34.1 145289 LANCASTER

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$441.06	Town/SpecialDist/School
<u>Charge To :</u>	145289 LANCASTER	\$441.06	
	Relevy School	\$441.06	145201 LANCASTER CENTRAL

REFUND - ERROR IN ESSENTIAL FACT, ADDITION WAS NOT BUILT. THE ASSESSED VALUE WAS 173,500 AND SHOULD BE 150,000. RPTL 550(3)B
CHECK IN FAVOR OF:RANDALL & DIANE THORNTON

FISCAL YEAR 2001	Petition No.	203,169.00
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ASSESSOR **Refund** \$319.20

S-B-L 105.00-3-34.1 **145289 LANCASTER**

Acct. No. 112 \$135.93 County
Acct. No. 132 \$183.27 Town/SpecialDist/School

52610 GENERAL FIRE PROT \$45.06

Charge To : **145289 LANCASTER** **\$138.21**

REFUND - ERROR IN ESSENTIAL FACT, THE ADDITION WAS NEVER BUILT. THE ASSESSED VALUE WAS 173,500 AND SHOULD BE 150,000. RPTL 550(3)B
CHECK FOR: RANDALL & DIANE THORNTON

FISCAL YEAR 2001 Petition No. **203,170.00**

ASSESSOR **Refund** \$445.84

S-B-L 105.00-3-34.1 **145289 LANCASTER**

Acct. No. 112 \$0.00 County
Acct. No. 132 \$445.84 Town/SpecialDist/School

Charge To : **145289 LANCASTER** **\$445.84**
Relevy School \$445.84 145201 LANCASTER CENTRAL

REFUND - ERROR IN ESSENTIAL FACT, NO ADDITION WAS BUILT. THE ASSESSED VALUE WAS 173,500 AND SHOULD BE 150,000. RPTL 550(3)B
CHECK FOR: RANDALL & DIANE THORNTON

FISCAL YEAR 2002 Petition No. **203,171.00**

ASSESSOR **Refund** \$316.88

S-B-L 105.00-3-34.1 **145289 LANCASTER**

Acct. No. 112 \$134.93 County
Acct. No. 132 \$181.95 Town/SpecialDist/School

52610 GENERAL FIRE PROT \$45.02

Charge To : **145289 LANCASTER** **\$136.93**

REFUND - ERROR IN ESSENTIAL FACT, THE ADDITION WAS NEVER BUILT. THE ASSESSED VALUE WAS 173,500 AND SHOULD BE 150,000. RPTL 550(3)E
CHECK FOR: RANDALL & DIANE THORNTON

FISCAL YEAR 2002 Petition No. **203,173.00**

ASSESSOR **Refund** \$444.64

S-B-L 105.00-3-34.1 **145289 LANCASTER**

Acct. No. 112 \$0.00 County
Acct. No. 132 \$444.64 Town/SpecialDist/School

Charge To : **145289 LANCASTER** **\$444.64**
Relevy School \$444.64 145201 LANCASTER CENTRAL

REFUND - ERROR IN ESSENTIAL FACT, THE ADDITION WAS NEVER BUILT. THE ASSESSED VALUE WAS 173,500 AND SHOULD BE 150,000 RPTL 550(3)B
CHECK FOR: DIANE & RANDALL THORNTON

FISCAL YEAR 2003 Petition No. **203,174.00**

ASSESSOR **Refund** \$339.60

S-B-L 105.00-3-34.1 **145289 LANCASTER**

Acct. No. 112 \$129.39 County
Acct. No. 132 \$210.21 Town/SpecialDist/School

52610 GENERAL FIRE PROT \$50.97
Charge To : **145289 LANCASTER** **\$159.24**

REFUND - ERROR IN ESSENTIAL FACT, ADDITION WAS NEVER BUILT. THE ASSESSED VALUE WAS 173,500 AND SHOULD BE 150,000. RPTL 550(3)B
CHECK FOR: DIANE & RANDALL THORNTON

FISCAL YEAR 2003 Petition No. **203,175.00**

ASSESSOR **Cancel** \$129.62

S-B-L 22.00-1-11.1 **145689 NEWSTEAD**

	Acct. No. 112	\$95.80	County
	Acct. No. 132	\$33.82	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD		\$33.82

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 20,829 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR	2003	Petition No.	203,176.00
	ASSESSOR	Cancel	\$5.99

S-B-L 33.00-6-30 **145689 NEWSTEAD**

	Acct. No. 112	\$1.73	County
	Acct. No. 132	\$4.26	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD		\$4.26

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION FOR THE COUNTY IS 1,825 (50%) AND THE TOWN PORTION IS 703 (20%). RPTL 550(2)B

FISCAL YEAR	2003	Petition No.	203,177.00
	ASSESSOR	Cancel	\$1,017.90

S-B-L 47.11-4-20.1 **145689 NEWSTEAD**

	Acct. No. 112	\$96.72	County
	Acct. No. 132	\$921.18	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD		\$921.18
	Relevy School	\$921.18	145601 AKRON CENTRAL

CANCEL - CLERICAL ERROR, THE SCHOOL RELEVY WAS PREVIOUSLY PAID ON OCTOBER 15, 2002. RPTL 550(2)H

FISCAL YEAR 2003 Petition No. **203,178.00**

ASSESSOR **Cancel** \$124.05

S-B-L 61.00-5-35 **145689 NEWSTEAD**

Acct. No. 112 \$0.00 County

Acct. No. 132 \$124.05 Town/SpecialDist/School

Charge To : **145689 NEWSTEAD** **\$124.05**

CANCEL - CLERICAL ERROR, THIS IS VACANT LAND AND DOES NOT PAY FOR REFUSE TAX. RPTL 550(2)E

FISCAL YEAR 2003 Petition No. **203,179.00**

ASSESSOR **Cancel** \$48.08

S-B-L 311.08-1-2 **146200 SARDINIA**

Acct. No. 112 \$36.45 County

Acct. No. 132 \$11.63 Town/SpecialDist/School

62019 SARDINIA FIRE PROTECT \$4.20

Charge To : **146200 SARDINIA** **\$7.43**

FISCAL YEAR 2003 Petition No. **203,180.00**

ASSESSOR **Cancel** \$125.83

S-B-L 179.00-2-8 **146600 WALES**

Acct. No. 112 \$106.15 County

Acct. No. 132 \$19.68 Town/SpecialDist/School

Charge To : **146600 WALES** **\$19.68**

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF OF 3,279 SHOULD BE 16,562 (25%) RPTLK 550(2)B (5-0)

3. Item Page -2003 (Comm. 5E-12)
COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature has determined that it would be in the best interest of the County of Erie that, pursuant to the provisions of the State of New York Municipal Bond Bank Agency Act and Section 1190.1(a) of the Real Property Tax Law, Erie County sell, assign and transfer all of its right, title and interest in, to and under certain liens on real property in respect of delinquent taxes to a Delaware statutory trust or other special purpose entity (the "Issuer") organized by the State of New York Municipal Bond Bank Agency (the "Agency"), which Issuer will finance the purchase thereof by issuing debt securities secured by, among other things, such tax liens, in a private placement in debt securities and, in connection therewith, for Erie County to acquire an interest in a Delaware limited liability company or other special purpose entity organized by the Agency, such interest representing a residual interest in the tax liens sold to the Issuer;

NOW THEREFORE, be it:

RESOLVED, that (i) the sale, transfer, assignment and conveyance by the County of Erie of all of its right, title and interest in, to and under the liens on real property in respect of delinquent taxes and any certificates evidencing any such liens, and any and all proceeds thereof, including, without limitation, any claims in respect of any such liens as to which the related property owners are involved in bankruptcy proceedings (collectively, the "Tax Liens") pursuant to the Purchase and Sale Agreement in substantially the form annexed hereto as Exhibit A (the "Purchase and Sale Agreement") to the Issuer named in the Purchase and Sale Agreement, (ii) the acquisition by Erie County of an interest in the limited liability company established pursuant to the Amended and Restated Limited Liability Company Agreement in substantially the form annexed hereto as Exhibit B (the "Limited Liability Company Agreement"), and (iii) the consummation by Erie County of each of the other transactions contemplated by the Purchase and Sale Agreement and the Limited Liability Company Agreement and the execution of any other documents required to effect those transactions (the "Ancillary Agreements"), are hereby authorized and approved; and be it further,

RESOLVED, that Erie County is authorized to enter into and perform its obligations under the Purchase and Sale Agreement, the Limited Liability Company Agreement and a representation and indemnity agreement with the initial purchasers of the securities to be issued by the Issuer in connection with the transactions contemplated by the Purchase and Sale Agreement and the Limited Liability Company Agreement (the "Representation and Indemnity Agreement") (collectively, the "Agreements"); and be it further,

RESOLVED, that the proposed forms of the Purchase and Sale Agreement and the Limited Liability Company Agreement are hereby authorized and approved, and that the County Executive, the Budget Director and the Commissioner of Finance (collectively, the "Authorized Officers") be, and each of them hereby is, authorized, empowered and directed to execute and deliver such Agreements and Ancillary Agreements in the name and on behalf of Erie County, with such changes thereto as any of the Authorized Officers may deem necessary or advisable, and to execute and

deliver the Representation and Indemnity Agreement in the name and on behalf of the County of Erie in such form as any of the Authorized Officers may deem necessary or advisable, such determination to be evidenced conclusively by their execution and delivery thereof; and be it further,

RESOLVED, that the execution of the Agreements and Ancillary Agreements by an Authorized Officer pursuant to these resolutions shall constitute conclusive evidence of the approval of, and of that Authorized Officer's authority to execute, such Agreements; and be it further,

RESOLVED, that the Authorized Officers be, and each of them hereby is, authorized to take any other action and execute and deliver any other agreements, documents and instruments, as any of the Authorized Officers may deem necessary or advisable to carry out the purpose and intent of the foregoing resolutions, including, without limitation, to provide information concerning Erie County and the Tax Liens for inclusion in a private placement memorandum (the "PPM") relating to the issuance of securities (the "Bonds") collateralized, in part, by the Tax Liens and to authorize the use of the PPM in the marketing and sale of the Bonds in the private placement thereof, and to mail or otherwise forward any notices or other communications deemed necessary or desirable by any Authorized Officer to the owners of the real properties subject to the Tax Liens or to any other persons in connection with the sale thereof; and be it further,

RESOLVED, that any actions of the Authorized Officers in furtherance of the purposes of the foregoing resolutions, whether taken before or after the adoption or effectiveness of these resolutions are hereby approved, confirmed, ratified and adopted; and be it further,

RESOLVED, that certified copies of this Resolution be forwarded to the County Executive, the Budget Director, the County Attorney, the County Comptroller and the Deputy Commissioner of Finance.

(6-0) Chairman Swanick present as Ex-Officio Member.

DALE W. LARSON
CHAIRMAN