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TOWN OF AMHERST

BARRY A. WEINSTEIN, M.D.
SUPERVISOR

June 21, 2012

Mr. Edward A. Rath, III
Erie County Legislator
92 Franklin Street, Fourth Floor
Buffalo, NY 14202

Dear Legislator Rath:

Pursuant to our recent discussion, this is the resolution asking for Erie County's help with 1815 Eggert Road.

Please advise.

Regards,

Barry

Barry A. Weinstein, M.D.
Supervisosr

BAW/sv
enc.

Amherst Municipal Building 5583 Main St Williamsville, NY 14221 Phone: 716.631.7032 Fax: 716.631.7146
Website: www.amherst.ny.us Keyword: supervisor

TOWN OF AMHERST

TOWN CLERK'S OFFICE

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221
(716) 631-7021
FAX (716) 631-7152
www.amherst.ny.us

Marjory Jaeger
Town Clerk

Kathleen Cooper
Deputy Town Clerk

Timothy Koller
Asst. Deputy Town Clerk

CERTIFICATE OF TOWN CLERK

I, Marjory Jaeger, Town Clerk of the Town of Amherst, in the County of Erie, State of New York, HEREBY CERTIFY, as follows:

That the attached Resolution 2012-545, "1815 Eggert Road" is a true and exact copy of the Resolution enacted by the Town Board at its meeting on June 18, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Amherst this 21st day of June, 2012.

Marjory Jaeger
Town Clerk
Town of Amherst, Erie County, NY

Sworn to before me
This 21 day of June, 2012

Notary Public

NICOLE MARIA BURROUGHS
Notary Public • State of New York
Qualified in Erie County
My Commission Expires April 24, 2014

Town of Amherst
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Marjory Jaeger
Town Clerk

Meeting: 06/18/12 07:00 PM
Department: Supervisor
Initiated by: **Barry A. Weinstein**
ADOPTED

DOC ID: 8840

RESOLUTION 2012-545

1815 Eggert Road

WHEREAS the premises at 1815 Eggert Road in the Town of Amherst was previously used as a dry cleaning business and a gasoline station; and

WHEREAS such premises has been abandoned for many years and there is evidence that the site is a Brownfield Site needing remediation; and

WHEREAS no property taxes have been paid for the parcel since 2005, but Erie County does not want to offer it for sale at a tax foreclosure sale because it does not want to become liable for the cost of cleaning up the site; and

WHEREAS the New York State Environmental Conservation Law §56-0508 provides that a municipal body like the County of Erie with the authority to foreclose on tax liens can obtain temporary incidents of ownership so that the DEC can perform an environmental restoration investigation project upon the property without the County becoming liable for the clean-up cost which are added to the property taxes owed for the site; and

THEREFORE BE IT RESOLVED that the Amherst Town Board hereby requests that the County of Erie undertake the necessary steps required by Environmental Conservation Law §56-0508 to obtain temporary incidents of ownership so as to allow the New York Department of Environmental Conservation to do an environmental restoration project on the site and that the Erie County Legislature pass a resolution requesting such action by the appropriate Erie County officials.

6/18/2012
Consent

FISCAL IMPACT:

None for resolution

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Barry A. Weinstein, Supervisor
SECONDER:	Guy R. Marlette, Deputy Supervisor
AYES:	Weinstein, Marlette, Manna, Anderson Sr., Nuchereno, Sanders