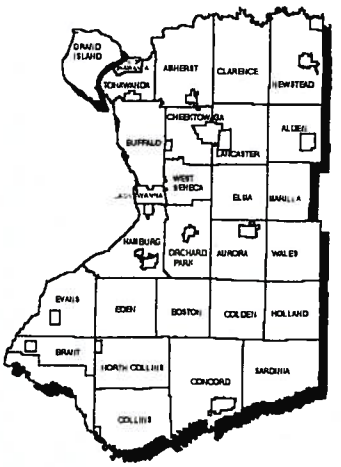

Association of Erie County Governments

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CERTIFIED RESOLUTION

At our monthly meeting of the Association of Erie County Governments held in the Town of Orchard Park on February 23, 2012, the following resolution was moved by Town of Cheektowaga Supervisor Mary Holtz and seconded by Village of Angola –Mayor Howard Frawley and unanimously approved by all,

WHEREAS, the Erie County Department of Real Property Tax Services has determined that there are in excess of 73,360 tax liens within Erie County with more than $53,529,325 in taxes owed to Erie County; and

WHEREAS, this situation is particularly troublesome in the Cities of Buffalo, Lackawanna, and Tonawanda as well as in the Towns of Amherst, Cheektowaga; and

WHEREAS, other towns and villages are also struggling with vacant and abandoned properties such as Tonawanda, West Seneca, and the Villages of Depew, Angola and Springville; and

WHEREAS, Erie County and its member municipalities have recognized the need to address the growing county-wide issue of tax delinquent, vacant, abandoned, and foreclosed properties; and

WHEREAS similar problems exist in many areas of New York State; and

WHEREAS, in July 2011 in recognition of this growing problem, New York State passed the Land Bank Act, as Article 16 of the New York State Not-for-Profit Corporation Law, which authorizes any foreclosing governmental unit (FGU) to create a land bank to return tax delinquent, vacant, abandoned, and foreclosed properties to productive use; and

WHEREAS, county-wide land banks have proven highly successful in Michigan, Ohio, and other regions experiencing growing numbers of problem properties by successfully returning properties to productive use; and

WHEREAS, the founder of the nationally-renowned model and award-winning Genesee County, Michigan Land Bank, Dan Kildee, has urged Erie County to form a land bank and offered his assistance and expertise to Erie County; and

WHEREAS, the County Executive, the Department of Environment and Planning, and Department of Real Property Tax Services are seeking ways to work collaboratively with Erie County Municipalities to address this issue; and

WHEREAS, the newly adopted state law establishes a competitive process to allow municipalities to create land banks but will only permit the formation of 10 land banks throughout New York State, with no more than five land banks being approved with the first round of applications due to Empire State Development (ESD) on March 30, 2012; and

WHEREAS, at the January 2012 meeting of the Association of Erie County Governments the issue of establishing an Erie County landbank to address the growing problem of vacant properties was raised and discussed at great length; and

WHEREAS, County Executive Mark Poloncarz tasked the County's Department of Environment and Planning and the County's Real Property Tax Department to establish a Landbank working group with representatives from any interested municipality, along with representatives from the Association, to work collaboratively on an application to ESD by the March 30.

NOW, THEREFORE, BE IT RESOLVED, that the Erie County Association of Governments recognizes the dire need to address the growing vacant and abandoned housing crisis in Erie County; and be it further

RESOLVED, that the Association of Erie County Governments supports the creation of a Landbank as an essential strategy in dealing with the vacant property crisis as Erie County; and be it further

RESOLVED , that the Association of Erie County Governments supports the creation of a Landbank by Erie County as Erie County is the Foreclosing Governmental Unit for most of the municipalities; and be it further

RESOLVED, that the Association of Erie County Governments goes on record as fully supportive of Erie County's application to Empire State Development to create a land bank; and be it further

RESOLVED, that the Association of Erie County Governments strongly urges Empire State Development to approve Erie County's application as Western New York desperately needs creative, new strategies to address the crippling problem of vacant and abandoned properties; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive; the Commissioner of the Department of Environment and Planning; the Erie County Director of the Department of Real Property Tax Services; the County Comptroller; the County Attorney; the Director of the Division of Budget and Management; and the Erie County Legislature.

I, Marilynn Calhoun-Allen, Executive Director of the Association of Erie County Governments, do hereby certify that the foregoing is a full and true transcript of the resolution passed at the meeting of the Associations of Erie County Governments, as held in the Town of Orchard Park on the February 23, 2012, and that said meeting was duly called and duly constituted and that a quorum was present.

WITNESS my hand and the seal of the Association of Erie County Governments this February 29, 2012

Marilynn Calhoun-Allen

Marilynn Calhoun-Allen, Executive Director

MEMBERS: CITIES/ Buffalo* Lackawanna* Tonawanda *COUNTY of Erie * TOWNS/ Alden* Amherst* Aurora* Boston* Brant* Cheektowaga* Clarence* Colden* Collins* Concord* Eden* Elma* Evans* Grand Island* Hamburg* Holland* Lancaster* Marilla* Newstead* North Collins* Orchard Park* Sardinia* Tonawanda* Wales* West Seneca * VILLAGES/ Akron* Alden* Angola* Blasdell* Depew* East Aurora* Farnham* Gowanda* Hamburg* Kenmore* Lancaster* North Collins* Orchard Park* Sloan* Springville* Williamsville*