

A RESOLUTION TO BE SUBMITTED BY
LEGISLATOR MILLS

Re: Orchard Park Conservation Easement "Add Back"

WHEREAS, the Erie County Legislature adopted Local Law 1-2011 in accordance with Real Property Tax Law Section 491, authorizing the Town of Orchard Park to adopt a Local Law to create and implement Conservation Easement Agreement exemptions in order to promote open space in the Town; and

WHEREAS, said Local Law 1-2011 does not contain a mandatory provision requiring the County to "add back" the amount of the partial exemption; and

WHEREAS, as such, the Local Law was vetoed, necessitating the law to be resubmitted and passage of the present resolution to satisfy the intent of the Local Law; and

WHEREAS, Real Property Tax Law Section 844(1)(b)(ii) allows a County by resolution to adopt an "add back" provision for partial exemptions.

NOW, THEREFORE, be it

RESOLVED, pursuant to Real Property Tax Law Section 844(1)(b)(ii), the County does hereby adopt an "add back" provision for partial exemptions in regard to property exemptions granted by Local Law 1-2011, or any subsequent Local Law addressing the topic, authorizing the Town of Orchard Park to adopt a Local Law to create and implement Conservation Easement Agreement exemptions, pursuant to Real Property Tax Law Section 491; and be it further

RESOLVED, a copy of this resolution shall be sent to Joseph L. Maciejewski, Director of Erie County Real Property Services and to the Town Board of the Town of Orchard Park.