

A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS RATH AND MORTON

ECLEG FEB04'14 12:31:57

Re: A Resolution in support of the Community Choice Act (CCA)

WHEREAS, the ECIDA is currently the only IDA for many towns within Erie County with the power to provide an economic incentive program to projects within those municipalities; and

WHEREAS, ECIDA has recently made the decision to apply incentives for “adaptive reuse” of deteriorating buildings only to projects within the City of Buffalo; and

WHEREAS, many of the suburbs within the County of Erie are dealing with long term vacancy issues, especially within commercial districts; and

WHEREAS, the CCA would greatly increase the flexibility that the local governments have in addressing issues of blight. Abandoned buildings and suburban business district revitalization, reinvestment and reuse; and

WHEREAS, the CCA give a local town board, when partnered with one of the local industrial development agencies (IDA), absolute veto power over proposed projects within its borders; and

WHEREAS, this body believes that though the CCA town boards and local IDAs would have greater control and input over local economic development policy in these smaller towns; and

WHEREAS, having more input over local economic development policy would insure that towns are not wasting valuable resources and effort on projects that do not solve their local issues.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature supports the bill being sponsored by Sen. Gallivan, Bill No. S527; and further be it

RESOLVED, that a certified copy of this resolution be forwarded to Governor Andrew Cuomo, Assembly Speaker Sheldon Silver, Majority Leader Dean Skelos, the local delegation to the New York Legislature, and all other parties deemed necessary and proper

Fiscal Impact: None

STATE OF NEW YORK

5271

2013-2014 Regular Sessions

IN SENATE

May 15, 2013

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when

printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law, in relation to certain industrial development agencies

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 898-a of the general municipal law, as added by chapter 995 of the laws of 1972, is amended to read as follows:

§ 898-a. Town of Lancaster industrial development agency. For the benefit of the town of Lancaster in the county of Erie, and the inhabitants thereof, an industrial development agency, to be known as the TOWN OF LANCASTER INDUSTRIAL DEVELOPMENT AGENCY, is hereby established for the accomplishment of any or all of the purposes specified in title one of article eighteen-A of this chapter. It shall constitute a body corporate and politic, and be perpetual in duration. It shall have the powers and duties now or hereafter conferred by title one of article

eighteen-A of this chapter upon industrial development agencies and provided that the exercise of the powers by such agency with respect to the acquisition of real property whether by purchase, condemnation or otherwise, shall be limited to the corporate limits of THE TOWNS OF LANCASTER, CHEEKTOWAGA AND WEST SENECA, ALSO PROVIDED THAT NO EXERCISE OF THE POWERS BY SUCH AGENCY WITH RESPECT TO THE ACQUISITION OF REAL PROPERTY WHETHER BY PURCHASE, CONDEMNATION OR OTHERWISE, OUTSIDE THE CORPORATE LIMITS OF the Town of Lancaster SHALL BE VALID UNTIL THE TOWN BOARD OF THE TOWN WITHIN WHOSE CORPORATE LIMITS SUCH REAL PROPERTY IS LOCATED PASSES A RESOLUTION IN SUPPORT OF THE EXERCISE OF THIS POWER, and such agency shall take into consideration the local zoning and plan-ning regulations as well as the regional and local comprehensive land use plans. It shall be organized in a manner prescribed by and be subject to the provisions of title one of article eighteen-A of this chapter. Its members shall be appointed by the governing body of the

Town of Lancaster. The agency, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of title one of article eighteen-A of this chapter.

S 2. Section 901-a of the general municipal law, as added by chapter 364 of the laws of 1973, is amended to read as follows:

S 901-a. Town of Clarence, Erie county, industrial development agency.

For the benefit of the town of Clarence, Erie county, and the inhabitants thereof, an industrial development agency, to be known as the TOWN

OF CLARENCE, ERIE COUNTY, INDUSTRIAL DEVELOPMENT AGENCY, is hereby established for the accomplishment of any or all of the purposes specified in title one of article eighteen-A of this chapter. It shall constitute a body corporate and politic, and be perpetual in duration. It shall have the powers and duties now or hereafter conferred by title one of article eighteen-A of this chapter upon industrial development agencies and provided that the exercise of the powers by such agency with respect to the acquisition of real property whether by purchase, condemnation or otherwise, shall be limited to the corporate limits of THE TOWNS OF CLARENCE, ALDEN, ELMA, MARILLA AND NEWSTEAD, ALSO PROVIDED THAT NO EXERCISE OF THE POWERS BY SUCH AGENCY WITH RESPECT TO THE ACQUISITION OF THE REAL PROPERTY WHETHER BY PURCHASE, CONDEMNATION OR OTHERWISE, OUTSIDE THE CORPORATE LIMITS OF the town of Clarence SHALL BE VALID UNTIL THE TOWN BOARD OF THE TOWN WITHIN WHOSE CORPORATE LIMITS SUCH REAL PROPERTY IS LOCATED PASSES A RESOLUTION IN SUPPORT OF THE EXERCISE OF THIS POWER, and such agency shall take into consideration the local zoning and planning regulations as well as the regional and local comprehensive land use plans. It shall be organized in a manner prescribed by and be subject to the provisions of title one of article eighteen-A of this chapter. Its members shall be appointed by the governing body of the town of Clarence. The agency, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of title one of article

eigh-
teen-A of this chapter.

S 3. Section 914-a of the general municipal law, as added by
chapter
579 of the laws of 1973, is amended to read as follows:

S [914-a] 914-B. Town of Amherst industrial development
agency. For
the benefit of the town of Amherst in the county of Erie, and the
inhab-
itants thereof, an industrial development agency, to be known as
the
TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY, is hereby
established for
the accomplishment of any or all of the purposes specified in
title one
of article eighteen-A of this chapter. It shall constitute a body
corpo-
rate and politic, and be perpetual in duration. It shall have the
power
and duties now or hereafter conferred by title one of article
eighteen-A
of this chapter upon industrial development agencies and provided
that
the exercise of the powers by such agency with respect to the
acquisi-
tion of real property whether by purchase, condemnation or
otherwise,
shall be limited to the corporate limits of THE TOWNS OF AMHERST,
GRAND
ISLAND AND TONAWANDA, ALSO PROVIDED THAT NO EXERCISE OF THE
POWERS BY
SUCH AGENCY WITH RESPECT TO THE ACQUISITION OF REAL PROPERTY
WHETHER BY
PURCHASE, CONDEMNATION OR OTHERWISE, OUTSIDE THE CORPORATE LIMITS
OF the
town of Amherst SHALL BE VALID UNTIL THE TOWN BOARD OF THE TOWN
WITHIN
WHOSE CORPORATE LIMITS SUCH REAL PROPERTY IS LOCATED PASSES A
RESOLUTION
IN SUPPORT OF THE EXERCISE OF THIS POWER, and such agency shall
take
into consideration the local zoning and planning regulations as
well as
the regional and local comprehensive land use plans. It shall be
organ-

ized in a manner prescribed by and be subject to the provisions of title one of article eighteen-A of this chapter. Its members shall be

appointed by the governing body of the town of Amherst. The agency, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of title one of article eighteen-A of this chapter.

S 4. Section 925-t of the general municipal law, as amended by chapter

466 of the laws of 1991, is amended to read as follows:

S 925-t. Town of Concord industrial development agency. 1. For the benefit of the town of Concord and the inhabitants thereof, an industrial development agency, to be known as the TOWN OF CONCORD INDUSTRIAL DEVELOPMENT AGENCY, is hereby established for the accomplishment of any or all of the purposes specified in title one of article eighteen-A of this chapter. It shall constitute a body corporate and politic, and be perpetual in duration. It shall have the powers and duties now or hereafter conferred by title one of article eighteen-A of this chapter upon industrial development agencies and provided that the exercise of the powers by such agency with respect to the acquisition of real property whether by purchase, condemnation or otherwise, shall be limited to the corporate limits of THE TOWNS OF CONCORD, BRANT, COLDEN, COLLINS, HOLLAND, NORTH COLLINS, SARDINIA AND WALES, ALSO PROVIDED THAT NO EXERCISE OF THE POWERS BY SUCH AGENCY WITH RESPECT TO THE ACQUISITION OF REAL PROPERTY WHETHER BY PURCHASE, CONDEMNATION OR OTHERWISE, OUTSIDE

THE CORPORATE LIMITS OF the town of Concord SHALL BE VALID UNTIL THE TOWN BOARD OF THE TOWN WITHIN WHOSE CORPORATE LIMITS SUCH REAL PROPERTY IS LOCATED PASSES A RESOLUTION IN SUPPORT OF THE EXERCISE OF THIS POWER, and such agency shall take into consideration the local zoning and plan-ning regulations as well as the regional and local comprehensive land use plans. It shall be organized in a manner prescribed by and be subject to the provisions of title one of article eighteen-A of this chapter. Its members shall be appointed by the governing body of the town of Concord. The agency, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of title one of article eighteen-A of this chapter. To the extent that the foregoing provisions of this subdivision or of title one of this article are inconsistent with the provisions of subdivision two of this section, the provisions of such subdivision two shall be controlling.

2. The provisions of subparagraph two of paragraph (b) of subdivision one of section eight hundred fifty-six of this article shall not apply to the town of Concord industrial development agency and the agency as created and constituted pursuant to the other provisions of this article is continued until otherwise altered or terminated pursuant to law.

S 5. Section 925-v of the general municipal law, as amended by chapter 441 of the laws of 1994, is amended to read as follows:

S 925-v. Town of Hamburg industrial development agency. 1. For the benefit of the town of Hamburg in the county of Erie, and the inhabit-

ants thereof, an industrial development agency, to be known as the TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY, is hereby established for the accomplishment of any or all of the purposes specified in title one of article eighteen-A of this chapter. It shall constitute a body corporate and politic, and be perpetual in duration. It shall have the powers and duties now or hereafter conferred by title one of article eighteen-A of this chapter upon industrial development agencies and provided that the exercise of the powers by such agency with respect to the acquisition of real property whether by purchase, condemnation or otherwise, shall be limited to the corporate limits of THE TOWNS OF HAMBURG, AURORA, BOSTON, EDEN, EVANS AND ORCHARD PARK, ALSO PROVIDED THAT NO EXERCISE OF THE

POWERS BY SUCH AGENCY WITH RESPECT TO THE ACQUISITION OF REAL PROPERTY WHETHER BY PURCHASE, CONDEMNATION OR OTHERWISE, OUTSIDE THE CORPORATE LIMITS OF the town of Hamburg SHALL BE VALID UNTIL THE TOWN BOARD OF THE TOWN WITHIN WHOSE CORPORATE LIMITS SUCH REAL PROPERTY IS LOCATED PASSES A RESOLUTION IN SUPPORT OF THE EXERCISE OF THIS POWER, and such agency shall take into consideration the local zoning and planning regulations as well as the regional and local comprehensive land use plans. It shall be organized in a manner prescribed by and be subject to the provisions of title one of article eighteen-A of this chapter. Its members shall be appointed by the governing body of the town of Hamburg. The agency, its members, officers and employees and its operations and activities shall

in all respects be governed by the provisions of title one of article eighteen-A of this chapter.

2. Notwithstanding the provisions of subdivision two of section eight hundred fifty-six of article eighteen-A of this chapter, the agency shall consist of not less than three nor more than nine members who shall be appointed by the governing body of the town of Hamburg.

S 6. This act shall take effect immediately.
