



# TOWN OF ORCHARD PARK

S 4295 South Buffalo Street Orchard Park, New York 14127-2609

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SUPERVISOR  
JANIS A. COLARUSSO

COUNCILMEMBERS  
DAVID R. KACZOR  
EUGENE MAJCHRZAK

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TOWN ATTORNEY  
JOHN C. BAILEY

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ANDREW GEIST

TOWN ASSESSOR  
MILTON BRADSHAW  
SCAA

TOWN ENGINEER  
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EDWARD J. LEAK, CPRP

PLANNING COORDINATOR  
REMY C. ORFFEO

ANIMAL CONTROL OFFICER  
DENNIS BUCZKOWSKI

SENIOR CENTER DIRECTOR  
ANNA WILLEMS

## Town Board supports "Land Bank Act"

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLARUSSO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MAJCHRZAK, TO WIT:

**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 other towns and villages are also struggling with vacant and abandoned properties 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

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**RESOLVED**, the Town of Orchard Park Town Board recognizes the dire need to address the growing vacant and abandoned housing crisis in Erie County, and be it further

**RESOLVED**, that this Town Board supports the creation of a Land Bank as an essential strategy in dealing with the vacant property crisis as Erie County, and be it further

**RESOLVED**, the Town Board supports the creation of a Land Bank by Erie County as Erie County is the Foreclosing Governmental Unit for most of the municipalities, and be it further

**RESOLVED**, the Town Board 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**, the Town Board 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

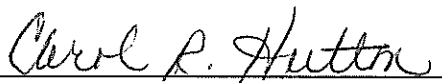
**RESOLVED**, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Commissioner of the Department of Environment and Planning, the Erie County Director of the Department of Real Property Tax Services, the County Comptroller, the County Attorney, the Director of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

**The resolution was unanimously adopted.**

STATE OF NEW YORK                }  
COUNTY OF ERIE                } ss  
TOWN OF ORCHARD PARK        }

*This is to certify that I, Carol R. Hutton, Clerk of the Town of Orchard Park, in said County of Erie, have compared the foregoing copy with the original resolution now on file in this office, and which was passed by the Town Board of the Town of Orchard Park, on the 7<sup>th</sup> day of March, 2012 and that the same is a correct and true transcript of such original resolution and the whole thereof.*

*IN WITNESS WHEREOF, I have set my hand affixed the seal of said Town this 12<sup>th</sup> day of March, 2012.*

  
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Carol R. Hutton  
Town Clerk