

CERTIFICATION OF ACTION TAKEN AT COUNCIL MEETING

GA

TO: Mayor Szymanski

RE: Land Act – Resolution #7, 2012

I, Jacqueline A. Caferro, City Clerk of the City of Lackawanna, New York, County of Erie do hereby certify the following action was taken at the City Council meeting of March 19, 2012 and is incorporated in the original minutes of said meeting. I do hereby certify that this is a true and correct transcript of such.

Moved by Council Member Pirowski, seconded by Council Member Lewis adopt resolution as written.

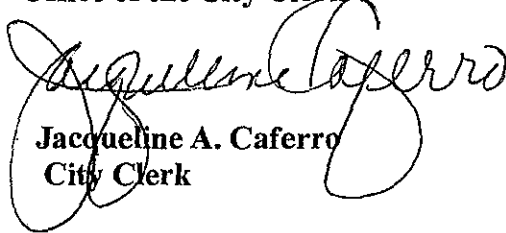
Yeas: Noman, Kulczyk, Lewis, Pirowski

Nays: 0

Carried: 4-0

**Dated: Lackawanna, New York
March 19, 2012**

Office of the City Clerk



**Jacqueline A. Caferro
City Clerk**

**Cc: City Atty.
Erie County Executive ✓
Comm. of EC Envir. & Planning
E.C. Director Real Property Tax Services
file**

6M-13

RESOLUTION # 7, 2012

RE: AUTHORIZING THE CREATION OF THE BUFFALO
ERIE NIAGARA LAND IMPROVEMENT CORPORATION AND EXECUTION OF AN
INTERGOVERNMENTAL COOPERATION AGREEMENT(S)
WITH ERIE COUNTY AND OTHER FORECLOSING GOVERNMENT UNITS
IN ERIE AND NIAGARA COUNTIES

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 worth more than \$53,529,325 in taxes owed to Erie County; and

WHEREAS, the Erie County Department of Real Property Tax Services has determined that Erie County owns unpaid tax liens in the City of Lackawanna; and

WHEREAS, the City of Lackawanna, Erie County, and other municipalities have recognized the need to address the growing region-wide issue of tax delinquent, vacant, abandoned, and foreclosed properties; and

WHEREAS, the Erie County Executive, the Department of Environment and Planning, and the Department of Real Property Tax Services are working collaboratively with the City of Lackawanna and other Municipalities to address this issue; and

WHEREAS, in July 2011 in recognition of the growing vacant property 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, the Land Bank Act allows FGUs and municipalities to enter into a partnership to create a land bank; and

WHEREAS, pursuant to the Land Bank Act, it is necessary to adopt a resolution authorizing the Mayor of the City of Lackawanna to execute an Intergovernmental Cooperation Agreement with Erie County and other foreclosing government units within Erie and Niagara Counties for the creation and operation of a Land Bank.

NOW, THEREFORE BE IT

RESOLVED, that the Mayor of the City of Lackawanna is hereby authorized to execute an Intergovernmental Cooperation Agreement with Erie County and other foreclosing government units within Erie and Niagara Counties for the creation and operation of a Land Bank, known as the Buffalo Erie Niagara Land Improvement Corporation, and to execute and file such other documents necessary to establish said Land Bank; and be it further

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|-----|---|--|
| 9. | Frank E. Krakowski – City
Assessor
City of Lackawanna | Lackawanna City Hall
714 Ridge Road
Lackawanna, New York 14218 |
| 10. | Joseph M. Hogenkamp
City Treasurer
City of Tonawanda | City of Tonawanda
200 Niagara Street
Tonawanda, New York 14150 |
| 11. | Christina Orsi
Empire State Development –
Western New York Regional
Director | 95 Perry Street
Suite 500
Buffalo, New York 14203 |

and be it further

RESOLVED, that as indicated in the Certificate of Incorporation and the NY Land Bank Act, the board may consist of eleven directors. The qualifications, manner of appointment, and terms of members of the Board of Directors, after the initial terms, shall be as follows:

1. The Executive Director of Strategic Planning of the City of Buffalo;
2. The Corporation Counsel of the City of Buffalo;
3. The Commissioner of Permit and Inspection Services of the City of Buffalo;
4. The Commissioner of Administration, Finance, Policy and Urban Affairs for the City of Buffalo;
5. General Manager, Buffalo Sewer Authority;
6. The Commissioner of Erie County Department of Environment and Planning;
7. Director, Erie County Department of Real Property Tax Services;
8. The Erie County Attorney (Erie County Department of Law);
9. The City Assessor of the City of Lackawanna;
10. The City Treasurer of the City of Tonawanda;
11. Western New York Regional Director, Empire State Development Corporation.

and be it further

RESOLVED, that members of the Board of Directors shall serve by virtue of office and they shall serve so long as he or she shall hold the office. For those members of the Board of Directors appointed by the Members of the Corporation, they will serve until the conclusion of the next annual meeting of the Members of the Corporation, or until his or her successor shall have been duly appointed and qualified; and be it further

RESOLVED, that all members of the Board of the Land Bank shall be residents of the County of Erie except such member who serves as an officer of foreclosing governmental units located outside of Erie County shall be residents of the County in which the foreclosing governmental unit is located; and be it further

RESOLVED, that the intergovernmental agreement shall include provisions for dissolution of such land bank; and be it further

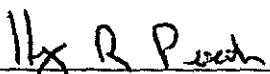
3/16/12

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

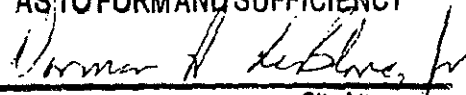
THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Dated: March 19, 2012
Lackawanna, New York

APPROVED:



Henry R. Pirowski, Council President

APPROVED
AS TO FORM AND SUFFICIENCY


City Attorney