Town of Amherst
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Marjory Jaeger
Town Clerk

Meeting: 03/05/12 07:00 PM
Department: Supervisor
Initiated by: **Barry A. Weinstein**

DOC ID: 8477   **RESOLUTION 2012-253**   **SCHEDULED**

Support for an Erie County Land Bank   GA

WHEREAS, the Erie County Department of Real Property Tax Services has determined that Erie County owns unpaid tax liens in the Town of Amherst worth $4,205,500; and

WHEREAS, the Town of Amherst has recognized the need to address the growing 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 county's 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, the newly adopted state law establishes a competitive application process to allow FGUs 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 March 30, 2012; and

WHEREAS, it is likely that applications that combine the major municipalities with the largest amount of delinquent properties in a county into a single land bank will have a more competitive application; and

WHEREAS, the Town of Amherst is interested in exploring an intergovernmental cooperation agreement with Erie County and other municipalities in submitting an application;

NOW, THEREFORE, BE IT RESOLVED that the Town of Amherst seeks to adequately address the issue of tax delinquent, foreclosed, vacant, and abandoned properties by participating in an Erie County Land Bank; and

BE IT FURTHER RESOLVED that the Town Board goes on record as supportive of Erie County's application to Empire State Development to create a land bank that includes the full participation of constituent town governments; and

BE IT FURTHER RESOLVED that the Town Board urges Empire State Development to approve Erie County's application as the FGU for the town with the understanding that Amherst will play an active role in the planning and implementation of new strategies to address the 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; and the Director of the Division of Budget and Management.

3/05/2012
Consent

LoM-5

TOWN OF AMHERST

TOWN CLERK'S OFFICE

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www.amherst.ny.us

Marjory Jaeger
Town Clerk

Kathleen Cooper
Deputy Town Clerk

Timothy Koller
Asst. Deputy Town
Clerk

CERTIFICATE OF TOWN CLERK

I, Marjory Jaeger, Town Clerk of the Town of Amherst, in the County of Erie, State of New York, HEREBY CERTIFY, as follows:

That the attached Resolution 2012-253 "Support for an Erie County Land Bank" is a true and exact copy of the Resolution enacted by the Town Board at its meeting on March 5, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Amherst this 6th day of March, 2012.

Marjory Jaeger
Town Clerk
Town of Amherst, Erie County, NY

Sworn to before me
This 6th day of March, 2012

Notary Public

KATHLEEN M. COOPER
No. 01CO6003585
Notary Public, State of New York
Qualified in Erie County
My Commission Expires June 30 20 14