

Town of Cheektowaga

Board Meeting of February 22, 2012



Town Clerk  
ADOPTED

**RESOLUTION 2012-105**  
DOC ID: 5817

**Support of Erie County Land Bank**

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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 the County of Erie owns 3,879 unpaid tax liens in the Town of Cheektowaga, worth \$7,041,906; and

WHEREAS, the Town of Cheektowaga, Erie County, and other municipalities have recognized the need to address the growing county-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 Town of Cheektowaga and other county 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 Cheektowaga is interested in partnering with Erie County and other municipalities in submitting an application.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga 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

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RESOLVED, that the Town of Cheektowaga 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, that the Town of Cheektowaga strongly urges Empire State Development to approve Erie County's application as Erie County is the FGU for the Town and the Town 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; the Town Attorney for the Town of Cheektowaga; and the Town of Cheektowaga Assessor.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Mary Holtz, Supervisor  
**SECONDER:** Stanley Kaznowski, Councilmember  
**AYES:** Holtz, Jaworowicz, Rogowski, Markel, Kaznowski, Kaminski, Wozniak

State Of New York  
Erie County  
Office Of The Clerk Of The  
Town of Cheektowaga

ss:

This is to certify that I, *Alice Magiercki*, Clerk of the *Town of Cheektowaga*, in the said *County of Erie*, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the *Town of Cheektowaga*.

in said *County of Erie*, on Wednesday, February, 22, 2012, and that the same is a correct and true transcript of such original resolution and the whole thereof.

(Seal)

*In Witness Whereof*, I have hereunto set my hand and affixed the seal of said Town on Thursday, February, 23, 2012.



CLERK OF THE TOWN BOARD, TOWN OF CHEEKTOWAGA, NY