

January 11, 2018

FINANCE & MANAGEMENT COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.
CHAIR SAVAGE PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 24E-15 (2018)
COMPTROLLER: “Performance Audit of Electronic Payment Processing for Period Apr. 1, 2015 - Mar. 31, 2016”
(Chair’s ruling)
 - b. COMM. 24D-7 (2017)
DIRECTOR, DEPARTMENT OF BUDGET & MANAGEMENT: “Budget Monitoring Report for Period Ending Oct. 2017”
(Chair’s ruling)
2. COMM. 1E-10 (2018)
COUNTY EXECUTIVE

WHEREAS, it is the mission of the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) to confront and alleviate the problems distressed properties cause to communities by supporting municipal and regional revitalization efforts and strategically acquiring, improving, assembling, and selling distressed, vacant, abandoned, and/or tax-delinquent properties; and

WHEREAS, section 1616(i) of the New York Not-for-Profit Corporation Law provides that New York Land banks, including BENLIC, may tender a pre-emptive bid at tax sales in an amount equal to the total amount of all municipal claims and liens which were the basis for the judgment and in the event of such tender by a land bank, the property shall be deemed sold to the land bank regardless of any bids by any other third parties; and

WHEREAS, the bid of the land bank shall be paid as to its form, substance, and timing according to such agreement as is mutually acceptable to the plaintiff and the land bank wherein the obligation of the land bank to perform in accordance with such agreement shall be deemed to be in full satisfaction of the municipal claim which was the basis for the judgment; and

WHEREAS, it is anticipated that BENLIC will exercise its pre-emptive bid powers at the City of Lackawanna Foreclosure Sale; and

WHEREAS, agreements between the City of Lackawanna and BENLIC are necessary to outline the obligations of BENLIC and the expected repayment, if any, of the City and County taxes which were the basis for the judgment.

NOW, THEREFORE, BE IT

RESOLVED, that the County, through its Director of Real Property Tax Services, is hereby authorized to enter into agreements with BENLIC which outline the obligations by BENLIC and the expected repayment, if any, of the County taxes which were the basis for the judgment consistent with the Property Tax and Maintenance/Foreclosure Cost Recapture Policy for the City of Lackawanna Foreclosure Sale; and be it further

RESOLVED, that to the extent that such agreement results in the repayment of county taxes in the amount less than the amount of County taxes which were the basis for the judgment, pursuant to Section 12-1.0 of the Erie County Tax Act the Director of Real Property Tax Services is hereby authorized to cancel such past due real property taxes; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, The Office of Erie County Comptroller, County Attorney, City of Lackawanna, Director of Real Property Tax Services and the Buffalo Erie Niagara Land Improvement Corporation.
(5-0)

BARBARA MILLER-WILLIAMS
CHAIR