



TOWN OF WEST SENECA

JOHN A. GULLO
CODE ENFORCEMENT OFFICER,
CFEI, CHS-IV, CDP-1

TOWN SUPERVISOR
SHEILA M. MEEGAN
TOWN COUNCIL
EUGENE P. HART
WILLIAM P. HANLEY, JR.

To: Honorable Town Board

From: John A. Gullo, Senior Code Enforcement Officer

Date: November 17, 2015

Re: Land Bank Act Resolution

Kindly move to adopt the attached resolution in regards to the New York State Land Bank Act.

**A RESOLUTION SUBMITTED
BY
Sheila Meegan
OF THE
*Town of West Seneca***

WHEREAS, in July 2011 in recognition of the growing problem of distressed, vacant, abandoned, and tax-delinquent properties, 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 strategically acquire, improve, assemble, and sell these properties; and

WHEREAS, under this law, the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) was formed in May 2012 via an intermunicipal agreement among the county's four FGUs: Erie County and the Cities of Buffalo, Lackawanna, and Tonawanda; and

WHEREAS, county-wide land banks have proven highly successful in Michigan, Ohio, and other regions experiencing growing numbers of problem properties by supporting municipal and regional revitalization efforts by strategically acquiring, improving, assembling, and selling these properties; and

WHEREAS, BENLIC (the land bank) seeks to work collaboratively with the cities, towns, and villages within Erie County to address the growing problem of distressed, vacant, abandoned, and tax-delinquent properties; and

WHEREAS, the *Town of West Seneca*, Erie County, has recognized the need to address the growing issues of distressed, vacant, abandoned, and tax-delinquent properties and is desirous of partnering with BENLIC to address this problem.

NOW, THEREFORE, BE IT

RESOLVED, that *Town of West Seneca* hereby officially requests that BENLIC acquire the following propert(y)ies:

66 Burch Ave. West Seneca NY 14210 SBL: 133.35-1-33

; and be it further

RESOLVED, that the *Town of West Seneca* has completed the required Standardized Inspector's Reports and Maintenance, Disposition and Reuse Plans (SIR/MDR plans) each property listed above and has attached the SIR/MDR plans to this resolution; and be it further

RESOLVED, that the *Town of West Seneca* agrees to reimburse Erie County for the costs associated with foreclosure of this property; and be it further

RESOLVED, that the *Town of West Seneca* agrees to maintain each property selected by BENLIC during the time in which BENLIC holds title to the property; and be it further

RESOLVED, that the Town of West Seneca hereby agrees to the terms and conditions of the BENLIC Pay it Forward Policy, *to be adopted October 23, 2015** and that pursuant to section 1610 of the New York Not-for-Profit Corporation Law will remit to BENLIC 50% of the real property taxes collected for a period of five years on all of the parcels identified herein for which, upon disposition of the parcel, net proceeds are negative

66 Burch Ave. West Seneca NY 14210 SBL: 133.35-1-33

; and be it further

RESOLVED, that certified copies of this resolution will be sent to the Executive Director of the Buffalo Erie Niagara Land Improvement Corporation; the Commissioner of the Erie County Department of Environment and Planning; the Director of the City of Buffalo's Office of Strategic Planning; and the Mayors of the cities of Lackawanna and Tonawanda.

**It is anticipated that the BENLIC Board of Directors will adopt at their next meeting a 2016-effective "Pay-it-Forward" policy in the same form as the 2015-effective "Pay-it-Forward" policy, no changes are expected between the two.*

Standardized Inspector Report (SIR)
Maintenance Disposition and Reuse Plan (MDR Plan)
 Buffalo, Erie, Niagara Land Improvement Corporation (BENLIC)

SECTION 1: Applicant information

Date:

Municipality

Address

Contact Person and Title

Contact Number(s)

SECTION II: Standardized Inspector Report (SIR)

Email address

Property Address *Attach Photo in digital format: gif, jpeg, etc.

Section-block-lot (SBL)

Assessed Value

Property Class Code

1.) Please attach to the required resolution Resolution #:

2.) List any known environmental concerns (e.g. asbestos, hazardous waste, lead paint, sewer lateral, septic tank, etc.): *Attach a summary of environmental assessments or reports

3.) Condition Report:

Roof

Good Fair Poor

Siding

Good Fair Poor

Foundation

Good Fair Poor

Accessory Structures (e.g. deck, fence, garage, pool, shed, etc.)

Good Fair Poor

Windows

Good Fair Poor

Doors

Good Fair Poor

4.) State of Occupancy:

Vacant Owner Occupied Renter Occupied
 Unknown

If vacant, is the property secured/boarded?

Yes No

5.) Utility Status:

Gas

On Off Unknown

Electric

On Off Unknown

Water

On Off Unknown

Sewer

On Off Unknown

Septic

On Off Unknown

6.) List any known code violations (e.g. chipping paint, missing gutters, etc.):

*Attach description of violations

7.) Assessment and Inventory (e.g. from RPS V4 database, number of bedrooms, square footage, etc.): *Attach screenshot if desired

Standardized Inspector Report (SIR)
Maintenance Disposition and Reuse Plan (MDR Plan)
 Buffalo, Erie, Niagara Land Improvement Corporation (BENLIC)

SECTION 3: Maintenance, Disposition and Reuse Plan (MDR Plan)

A. Maintenance Plan

8.) Once acquired by BENLIC, will the municipality make any of the following in-kind contributions towards the maintenance of this property?

- | | | | |
|--|---|--|--|
| a.) Secure/board up? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| b.) Emergency Repairs | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Not applicable |
| c.) Confirm all utilities are off if vacant? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| d.) Mow lawn? | <input type="checkbox"/> No | <input checked="" type="checkbox"/> If Yes, How often? | <input type="text" value="Bi-weekly"/> |
| e.) Snow removal? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> If Yes, How often? | <input type="text"/> |

B. Disposition and Reuse Plan

9.) What preferred land bank activities do you want BENLIC to undertake ?
 (check all that apply)

- Immediate Transfer Is there an identified purchaser for this property?
- Hold for land assemblage (attach mapping)
- Hold for future development/transfer
- Stabilize for future development Rehabilitation*
- Demolition*
- Deconstruction*
- New Construction*
- Other, Explain:*

*Attach project timeline, financing, project budget and contractor information where applicable

10.) What is the preferred disposition plan for the property?

- Transfer to non-profit
- Transfer to public entity
- Transfer through private sale
- Other Explain:

11.) What is the preferred reuse plan for the property?

- Side lot
- Green space
- Urban agriculture
- Pocket park
- New construction
- Rehab
- Other (e.g. use for purely public spaces and places, use for affordable housing etc. per statute); Explain:

12.) Does this disposition/reuse plan conform with the adopted plans of the municipality?

- Yes No

TOWN OF WEST SENECA



JOHN A. GULLO
CODE ENFORCEMENT OFFICER,
CFEI, CHS-IV, CDP-1

TOWN SUPERVISOR
SHEILA M. MEEGAN
TOWN COUNCIL
EUGENE P. HART
WILLIAM P. HANLEY, JR.

November 10, 2015

*Re: 66 Burch Ave.
West Seneca, NY 14210*

Dear Property Owner(s):

This letter is to inform you that your property is in violation of state and local ordinances. The following violation(s) have been found to exist at the above captioned address.

Roof In Disrepair (See Section: Town Code 92-6 D)
Foundation Failing Permit Ror Repair Req (See Section: Town Code 92-6 C)
Exposed Wood Not Protected (See Section: Town Code 92-6(A))
Downspouts and Gutters In Disrepair (See Section: Town Code 92-4(A))
Missing Windows/Broken Windows (See Section: NYS P.M.C. 304.13)
Fence Does Not Meet Zoning Laws (See Section: Town Code 120-39(B))
Brush Grass and/or Weeds Too High (See Section: Town Code 54-3)
Unsanitary Conditions Exist

Please be advised that you have 5 days to contact this office to what steps are being taken to correct the above captioned violation or you will force this office to take further actions. Thanking you in advance for your anticipated cooperation.

Sincerely,

Doug Busse

Code Enforcement Officer

6



133.35-1-33 **146800 West Seneca** **Active** **R/S:1** **School: West Seneca C**
ese, Christine T **Roll Year: 2016 Curr Yr** **1 Family Res** **Land AV: 2,400**
5 Burch Ave **Land Size: 30.00 x 116.00** **Total AV: 24,500**



- Parcel 133.35-1-33
- History
- Assessment
- Spec Dist(s)
- Description
- Owner(s)
- Images
- Gis
- Site (1) Res
 - Land(s)
 - Imprvmt(s)
 - Valuation
- Sale03/31/03
- Sale02/15/00

Site No: 1

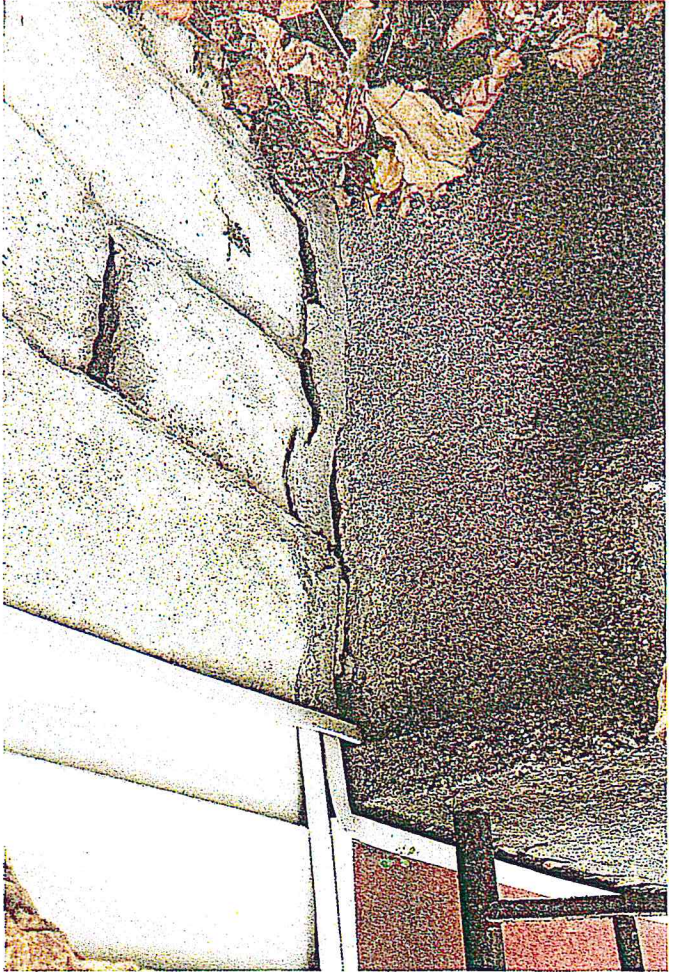
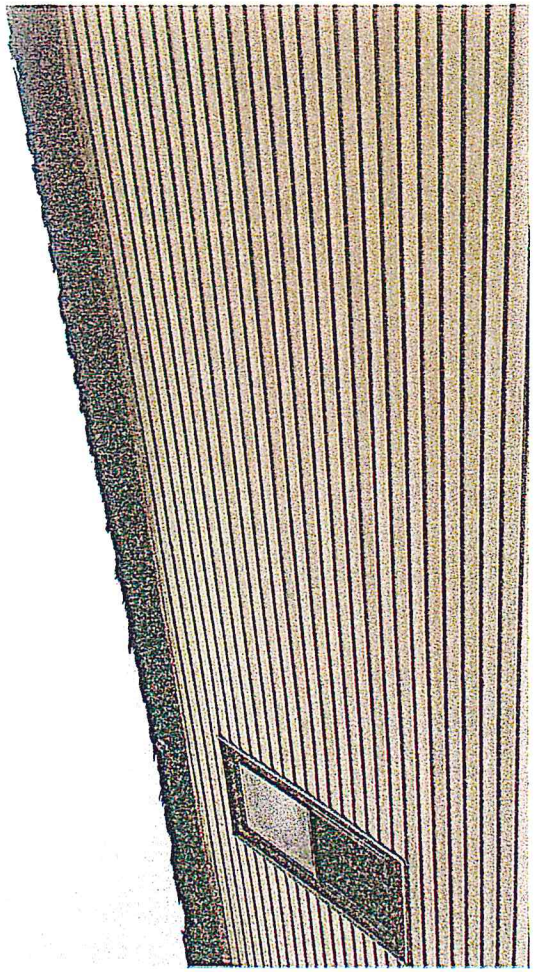
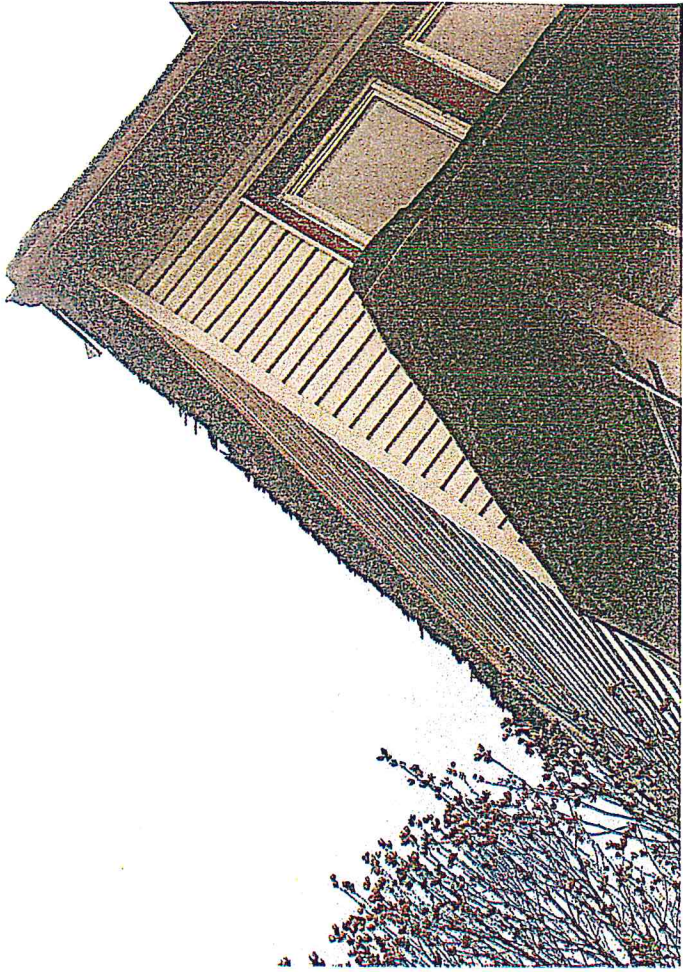
Bldg Style:	08 Old style	Central Air:		1st Story:	748
No. of Stories:	2.5	Bsmt Type:	4 Full	2nd Story:	616
Ext Wall Mat:	03 Alum/vinyl	Bsmt Gar Cap:	0	Add Story:	
Actual Yr Built:	1930	Overall Cond:	1 Poor	1/2 Story:	308
Eff Yr Built:	1945	Exterior Cond:	1 Poor	3/4 Story:	
Yr Remodeled:		Interior Cond:	1 Poor	Fin Over Gar:	
No. Kitchens:	1	Constr Grade:	C Average	Fin Attic:	
Kitchen Qual:	1 Poor	Grade Adjust:	100	Fin Basmt:	
No. Baths:	1	Pct Good:		Unfin 1/2:	308
Bath Qual:	1 Poor	Funct Obs:		Unfin 3/4:	
No. Bedrooms:	3			Unfin Rm:	
No. Rooms:	6			Unfin Over	
No. Fireplaces:	0			Gar:	
Frpvc Type:					
Heat Type:	2 Hot air	RCN:	132,993	SFLA:	1364
Fuel Type:	2 Natural Gas	RCMLD:	101,076	Fin Rec Rm:	

Run RPS440 Edits:

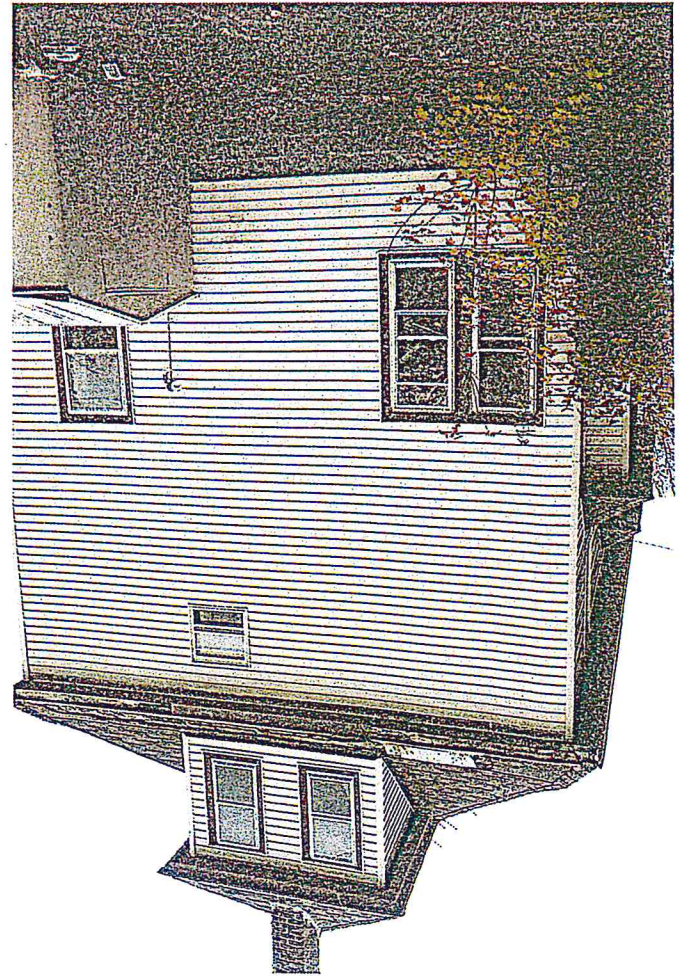
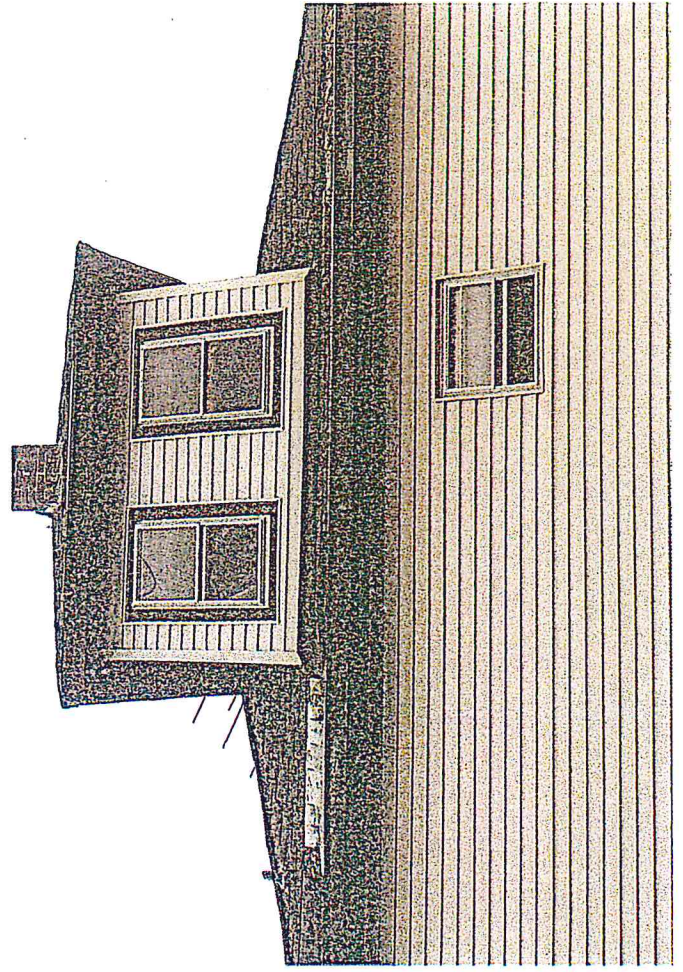
7.



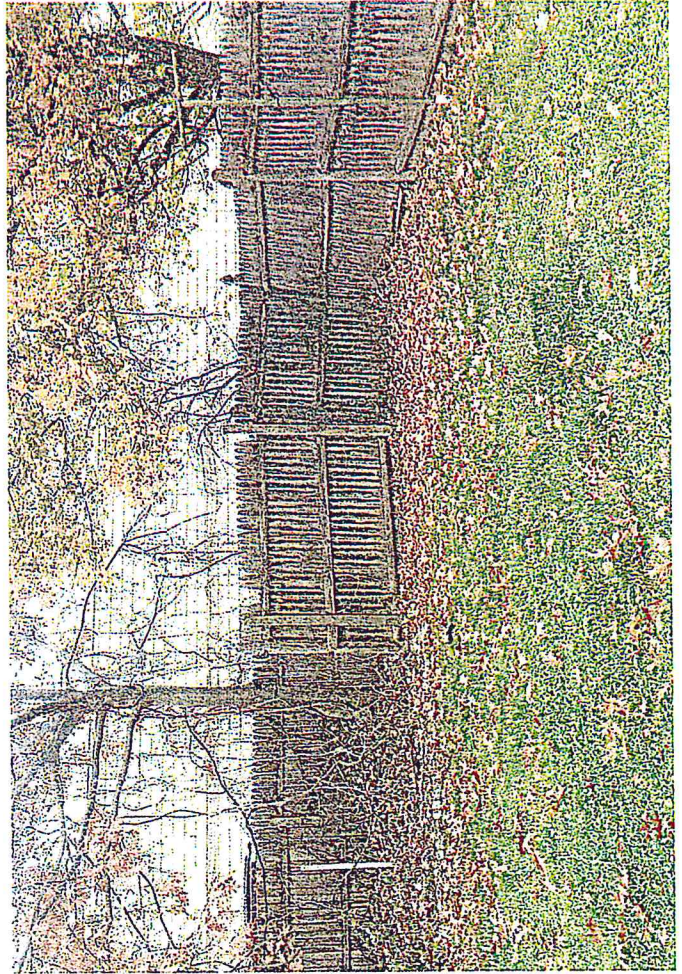
66 Birch Ave 1110115



66 Birch Ave 11/10/15



66 Birds Ave 11/10/15



66 Surch Ave 11/10/15

TOWN OF WEST SENECA



JOHN A. GULLO
CODE ENFORCEMENT OFFICER,
CFEI, CHS, IV, CDE-1
11/10/15

TOWN SUPERVISOR
SHEILA M. MEEGAN
TOWN COUNCIL
EUGENE P. HART
WILLIAM P. HANLEY, JR.

To whom it may concern,

This letter is in regard to the property commonly known as 66 Burch Ave West Seneca, NY 14210 SBL# 133.35-1-33. The property is currently vacant and after review of our files has been since approximately 2010. Multiple violations still exist at the property (See attached photos). After several attempts to make contact to remedy the issues, still nothing has been done. The West Seneca Code Enforcement Office has been taking care of lawn maintenance for the past several years. With new developments and homes being improved in the area, this creates a serious nuisance on the neighborhood. Our department receives numerous calls and complaints regarding the condition of the property and including break-ins on multiple occasions. Along with over \$20,000 owed back in taxes, this would be an excellent property for BENLIC to take over. The rehab for this single family house would cost approximately \$30,000. Thanking you in advance.

Sincerely,

Doug Busse

A handwritten signature in cursive script, appearing to read "Doug Busse".

Town of West Seneca Code Enforcement Department

1250 Union Rd.

West Seneca, NY 14224