

**LEGISLATIVE & RULES COMMITTEE**  
**AGENDA**  
**MAY 8, 2013**

**Approval of minutes from March 1, 2013 Committee Meeting.**

**Agenda Items:**

- 1.) Referral from the Real Property Tax Services Committee to support Senate Bill S.1000 and Assembly Bill A.682, An Act to Amend the Real Property Tax Law in Relation to the Taxation of Property Owned by a Cooperative Corporation. (4.29.13)
- 2.) Request for resolution of support from NYS Assembly member Michael Kearns for Assembly Bills A.88 and A.824 Regarding the Proposed Laws Concerning Contact Information for Vacant Structures.
- 3.) Referral from the April 19, 2013 Meeting of the Board of Supervisors for discussion regarding a request from Mayor Robert Blais to consider a proposal to change the closing time for bars and taverns in Warren County from 4:00 a.m. to 3:00 a.m. (Note: Resolution No. 263 of 2013 which was tabled at the Board Meeting is attached).

**Pending Items:**

- 1.) County Administrator distributed the results of a survey of areas where beaver dams have created a problem, such as flooding, in each individual town. Due to a lack of time, the survey results will be discussed and reviewed at the next Committee meeting. Status. (10.01.12)
- 2.) Proposing that any additional land purchases made by New York State for forest preserve offer an exchange of property which was previously acquired and not used for forest preserve. (03.07.12)  
Update: Discussion on this item was tabled pending action by the Legislature. (03.01.13)
- 3.) County Attorney to set up meeting with Dave Wick, Executive Director of the Lake George Park Commission, Warren, Essex and Washington Counties and other agencies to discuss invasive species enforcement issues. (03.01.13)

- 4.) Referral from the 10.19.12 Board Meeting - Committee to consider adoption of a local law requiring mandatory boat inspections for transient boaters on Lake George. (10.19.12) Update: County Attorney is in the process of drafting the local law and stated the SEQRA process would be critical in terms of developing the local law and a consultant may be needed to assist in that process. Committee decided to table the issue until June or July of 2013 when the SEQRA process being completed by the Lake George Park Commission for enforcement of regulations to stop the spread of invasive species was finished and available for review. (03.01.13)
- 5.) Discussion on the Governor's proposed pension option tabled pending input from the County Administrator and Chairman Geraghty. (03.01.13)
- 6.) Discussion on the change in bar and tavern closing hours was referred back to the Legislative & Rules Committee at the April 19, 2013 Board meeting. (04.19.13)

Motion to Adjourn

To: Legislative Committee  
Fred Monroe, Chairman

From: Deanne Rehm and David Rosebrook

Date: May 3, 2013

Re: request for support of Senate Bill # 1000 / Assembly Bill # 682

On behalf of the Warren County Assessors' Association, we respectfully seek a Resolution of Support from the Warren County Board of Supervisors for the above legislation. We will attend the May 8<sup>th</sup> committee meeting and wish to make a brief presentation, as well as, answer questions that your members may pose.

Enclosed please find:

Copy of S 1000

Copy of A 682

Copy of City of Saratoga Springs statement in support

Letter of support from Michael Swan

Draft local statement of support

1000  
2013-2014 Regular Sessions  
I N S E N A T E  
(PREFILED)  
January 9, 2013

Introduced by Sen. LITTLE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government AN ACT to amend the real property tax law and the real property law, in relation to the taxation of property owned by a cooperative corporation

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 1 of section 581 of the real property tax law  
2 is amended by adding a new paragraph (d) to read as follows:  
3 (D) THE PROVISIONS OF PARAGRAPH (A) OF THIS SUBDIVISION SHALL NOT  
4 APPLY TO REAL PROPERTY OWNED OR LEASED BY A COOPERATIVE CORPORATION OR  
5 ON A CONDOMINIUM BASIS IN A MUNICIPAL CORPORATION, OTHER THAN A SPECIAL  
6 ASSESSING UNIT, WHICH HAS ADOPTED, PRIOR TO THE TAXABLE STATUS DATE OF  
7 THE ASSESSMENT ROLL UPON WHICH ITS TAXES WILL BE LEVIED, A LOCAL LAW OR,  
8 FOR A SCHOOL DISTRICT, A RESOLUTION PROVIDING THAT THE PROVISIONS OF  
9 PARAGRAPH (A) OF THIS SUBDIVISION SHALL NOT APPLY TO SUCH REAL PROPERTY  
10 WITHIN THAT MUNICIPAL CORPORATION; PROVIDED, HOWEVER, THE PROVISIONS OF  
11 THIS PARAGRAPH SHALL NOT APPLY TO REAL PROPERTY OWNED OR LEASED BY A  
12 COOPERATIVE CORPORATION OR ON A CONDOMINIUM BASIS THAT HAD BEEN PREVI-  
13 OUSLY SUBJECT TO THE PROVISIONS OF PARAGRAPH (A) OF THIS SUBDIVISION  
14 PRIOR TO JANUARY FIRST, TWO THOUSAND FIFTEEN.

15 S 2. Subdivision 1 of section 339-y of the real property law is  
16 amended by adding a new paragraph (g) to read as follows:

17 (G) THE PROVISIONS OF PARAGRAPH (B) OF THIS SUBDIVISION SHALL NOT  
18 APPLY TO REAL PROPERTY OWNED OR LEASED BY A COOPERATIVE CORPORATION OR  
19 ON A CONDOMINIUM BASIS IN A MUNICIPAL CORPORATION OTHER THAN A SPECIAL  
20 ASSESSING UNIT, WHICH HAS ADOPTED, PRIOR TO THE TAXABLE STATUS DATE OF  
21 THE ASSESSMENT ROLL UPON WHICH ITS TAXES WILL BE LEVIED, A LOCAL LAW OR,  
22 FOR A SCHOOL DISTRICT, A RESOLUTION PROVIDING THAT THE PROVISIONS OF  
23 PARAGRAPH (B) OF THIS SUBDIVISION SHALL NOT APPLY TO SUCH REAL PROPERTY

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD01137-01-3

S. 1000

2

1 WITHIN THAT MUNICIPAL CORPORATION; PROVIDED, HOWEVER, THE PROVISIONS OF  
2 THIS PARAGRAPH SHALL NOT APPLY TO REAL PROPERTY OWNED OR LEASED BY A  
3 COOPERATIVE CORPORATION OR ON A CONDOMINIUM BASIS THAT HAD BEEN PREVI-  
4 OUSLY SUBJECT TO THE PROVISIONS OF PARAGRAPH (B) OF THIS SUBDIVISION  
5 PRIOR TO JANUARY FIRST, TWO THOUSAND FIFTEEN.

6 S 3. This act shall take effect immediately and shall apply to assess-  
7 ment rolls prepared on the basis of taxable status dates occurring on or  
8 after January 1, 2015.

S T A T E O F N E W Y O R K

682

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. GALEF -- read once and referred to the Committee on Real Property Taxation

AN ACT to amend the real property tax law and the real property law, in relation to the taxation of property owned by a cooperative corporation

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 1 of section 581 of the real property tax law  
2 is amended by adding a new paragraph (d) to read as follows:

3 (D) THE PROVISIONS OF PARAGRAPH (A) OF THIS SUBDIVISION SHALL NOT  
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9 PARAGRAPH (A) OF THIS SUBDIVISION SHALL NOT APPLY TO SUCH REAL PROPERTY  
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12 COOPERATIVE CORPORATION OR ON A CONDOMINIUM BASIS THAT HAD BEEN PREVI-  
13 OUSLY SUBJECT TO THE PROVISIONS OF PARAGRAPH (A) OF THIS SUBDIVISION  
14 PRIOR TO JANUARY FIRST, TWO THOUSAND FIFTEEN.

15 S 2. Subdivision 1 of section 339-y of the real property law is  
16 amended by adding a new paragraph (g) to read as follows:

17 (G) THE PROVISIONS OF PARAGRAPH (B) OF THIS SUBDIVISION SHALL NOT  
18 APPLY TO REAL PROPERTY OWNED OR LEASED BY A COOPERATIVE CORPORATION OR  
19 ON A CONDOMINIUM BASIS IN A MUNICIPAL CORPORATION OTHER THAN A SPECIAL  
20 ASSESSING UNIT, WHICH HAS ADOPTED, PRIOR TO THE TAXABLE STATUS DATE OF  
21 THE ASSESSMENT ROLL UPON WHICH ITS TAXES WILL BE LEVIED, A LOCAL LAW OR,  
22 FOR A SCHOOL DISTRICT, A RESOLUTION PROVIDING THAT THE PROVISIONS OF  
23 PARAGRAPH (B) OF THIS SUBDIVISION SHALL NOT APPLY TO SUCH REAL PROPERTY

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD01137-01-3

A. 682

2

1 WITHIN THAT MUNICIPAL CORPORATION; PROVIDED, HOWEVER, THE PROVISIONS OF  
2 THIS PARAGRAPH SHALL NOT APPLY TO REAL PROPERTY OWNED OR LEASED BY A  
3 COOPERATIVE CORPORATION OR ON A CONDOMINIUM BASIS THAT HAD BEEN PREVI-

4 OUSLY SUBJECT TO THE PROVISIONS OF PARAGRAPH (B) OF THIS SUBDIVISION  
5 PRIOR TO JANUARY FIRST, TWO THOUSAND FIFTEEN.

6 S 3. This act shall take effect immediately and shall apply to assess-  
7 ment rolls prepared on the basis of taxable status dates occurring on or  
8 after January 1, 2015.



CITY OF SARATOGA SPRINGS  
474 BROADWAY  
SARATOGA SPRINGS, NEW YORK 12866

CITY OF SARATOGA SPRINGS CITY COUNCIL  
MEMORANDUM IN SUPPORT OF LEGISLATION

Scott T. Johnson, Mayor  
Michele Madigan, Commissioner  
John P. Franck, Commissioner  
Anthony Scirocco, Commissioner  
Christian Mathiesen, Commissioner

BILL NUMBER: A.682 / S.1000

SPONSOR(S): In ASSEMBLY: Sandy Galef (prime), Co-sponsors: Jane L. Corwin, Dan Stec. In SENATE: Elizabeth Little (prime).

TITLE OF BILL: An act to amend the real property tax law and the real property law, in relation to the taxation of property owned by a cooperative corporation.

PURPOSE: To allow a municipal corporation to pass a local law or resolution that would make the provisions of paragraph (a) of subdivision 581 of the real property tax law not apply to real property, owned or leased by a cooperative corporation ~~on~~ a condominium basis, that is converted or constructed on and after January 1, 2014. *CR on*

SUMMARY OF PROVISIONS: THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 1 of section 581 of the real property tax law is amended by adding a new paragraph (d), allowing municipal corporations to remove the limitations in that section on assessments on condominiums and cooperatives converted or constructed on and after January 1, 2014 in all municipal corporations and Nassau County.

Section 2. adds paragraph (g) to section 339-y of the real property law allowing municipal corporation to remove the limitations in that section on assessments on condominiums and cooperatives converted or constructed on and after January 1, 2014 in any municipal corporation except New York City and Nassau County.

Apr. 15. 2013 3:07PM

No. 2996 P. 2

Memorandum in Support A682

April 2, 2013

STATEMENT IN SUPPORT: As condominiums are a form of ownership and not a building style, they should not be assessed differently than a single family home or owner-occupied commercial property. Assessments of condominiums based upon their potential to earn rental income rather than their sale price greatly reduces tax revenue for the City of Saratoga Springs. Current law forces assessors and appraisers to ignore clear, public market information about value, and instead apply an income-basis measure that has no credibility with the taxpayers. Current law undermines the credibility of residential assessments in cities like Saratoga Springs that recently have experienced growth of condominium ownership.

The development of condominiums in our City is increasing, and driving growth in demand for municipal services, infrastructure, police, fire, and emergency services. The condominium owners are receiving these same benefits that a traditional homeowner receives but are receiving these benefits at a much reduced cost relative to assessed property value, putting additional tax burden on the traditional homeowner to sustain these services to our residents.

Furthermore, the City of Saratoga Springs is committed to being an efficiently run city for the taxpayers we serve. We believe this legislation will strike a balance between being able to sustain our infrastructure, police, fire, and emergency services as our City grows, without negatively impacting our traditional homeowners.

EFFECTIVE DATE: This act shall take effect immediately and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 2015.

Passed by City Council: 4/2/13

Vote: 5 - 0

# **WARREN COUNTY TREASURER**

**MICHAEL R. SWAN**  
*County Treasurer*

**ROBERT V. LYNCH II**  
*Deputy Treasurer*

Fredrick H. Monroe  
Chairman  
Warren County Legislative and Rule Committee

May 3, 2013

Dear Supervisor Monroe,

As a past President of the New York State Real Property Tax Directors Association, and over 25 years of experience in the Assessment Profession, I want to express my support of Senate Bill S-1000 and Assembly Bill A-682. These two bills will amend New York State Real Property Tax Law 339Y, and allow municipalities to have the option to assess condominium projects at market value. This will correct an inequity in how condos are presently assessed.

I am hopeful that the Warren County Legislative and Rules Committee will voice its support of these two very important bills.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael R. Swan', with a long horizontal line extending to the right.

Michael R. Swan  
Warren County Treasurer

STATEMENT IN SUPPORT: S 1000 (Little) A 682 (Galef)

Since condominiums are a form of ownership and not a building style, they should not be assessed differently than a single family home or owner-occupied commercial property. Assessments of condominiums based upon their ability to earn income rather than their sale price has the effect of significantly reducing tax revenues. Current law forces assessors to ignore clear public market and sales information about value and instead apply an income basis measure that has little or no credibility with taxpayers. The present law undermines the equity of residential assessments in the City and Towns of Warren County that have been subject to the growth of condominium ownership.

Warren County can expect that condominiums will be part of future development. As communities grow, so does the need for increased municipal services, infrastructure, police, fire, and emergency services. Typically, property owners support that increase through their property taxes. However, condominium owners are not paying their fair share due to the provisions of the current law which shifts the burden to other taxpayers.

The County of Warren is committed to equity for all taxpayers. We believe that this legislation will help bring tax equity to new condominium projects and help sustain the expenses associated with municipal services, without negatively impacting the rest of the tax community.

## Sady, Joan

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**From:** Scott Henderson <hendersons@assembly.state.ny.us>  
**Sent:** Thursday, March 28, 2013 1:29 PM  
**To:** Livingston, Nicole; Sady, Joan  
**Subject:** Resolution of Support A.88 and A.824  
**Attachments:** Proposed resolution A.88 and A.824.doc

Dear County Executive and Chairmen,

In early January, our office sent out correspondences requesting a Resolution of Support for bills A.88 and A.824 in the NYS Assembly pertaining to abandoned-foreclosed properties. Attached, please find the proposed Resolution of Support for bills A.88 and A.824. Below are the two editorials in the Buffalo News that accompanied the letter and Resolution of Support. We are aware that you may have not received this documentation, however, it would be greatly appreciated that you, if you haven't already, take a look at the proposed Resolutions and vote in support of the proposed resolution. Any questions, please don't hesitate to contact Bill Licata at [licataw@assembly.state.ny.us](mailto:licataw@assembly.state.ny.us), or, 518-455-4691. Also, please click on the link below to see all of the other 230+ towns, villages and cities which have adopted this resolution throughout NYS. Please feel free to share this with other surrounding towns as well. Thank you.

Link- [NYS Foreclosure Bill Support Map](#)

Sincerely,  
Scott Henderson  
NYS Assemblymember - Michael P. Kearns - 142nd  
431 LOB  
Albany, New York 12248  
(518) 455-4691

LETTER  
January 2, 2013

Dear Elected Official:

I am writing to you regarding two foreclosure bills (A.88 and A.824) currently referred to the Judiciary Committee in the New York State Assembly. Last session the New York Assembly joined the list of states that have passed foreclosure bills making it mandatory for banks to provide municipalities with contact information of property managers or other parties responsible for upkeep and maintenance of foreclosed or abandoned properties. Unfortunately, the companion bill in the New York State Senate was referred to the Senate Committee on Housing and received no further action including no vote on the floor of the Senate.

I am concerned that the notice of contact information bill (A.88) and bill (A. 824) requiring 'good faith' in obtaining a foreclosure will encounter considerable special interest headwinds this year. In anticipation of significant opposition to these bills, I am hoping that your governing body could provide a resolution, in support of these bills. They can be viewed at my webpage: [www.assembly.state.ny.us/mem/Michael-P-Kearns](http://www.assembly.state.ny.us/mem/Michael-P-Kearns) or I can be reached at the email below. Included are two editorials directly dealing with these foreclosure issues and a sample resolution. My intention is to make financial institutions and lenders

more accountable to the surrounding community when homes and buildings are abandoned or foreclosure proceedings have started. A resolution from your governing body will add depth and resonance to committee deliberations, as well as establish a robust and persuasive record based on the facts and the needs of the people.

I would be grateful for your participation. Please send your resolution to my District Office in Buffalo, New York. Thank you for your time and help.

Sincerely,

Michael P. Kearns - Assemblyman 142nd District

### **Foreclosure - Vacant Home Contact Information OP-ED - JUNE 18, 2012**

Acting responsibly as a neighbor and citizen is essential to the efficient and effective operation of a free society. When homes, residences, stores and other buildings become vacant their maintenance and upkeep is vital to sustaining the property values of entire communities. Good neighbors realize that they are part of society and that action or inaction regarding ownership has ramifications and consequences for the hard earned home value and equity of the friends that surround them. Responsibility for oneself and to others is the commonly accepted currency that all citizens trade in and benefit from.

So it is surprising that in this economic downturn, despite large profits for the financial sector, banks, mortgagees and lenders are not meeting this fundamental responsibility to others. Several of these institutions are presiding over the degradation and depreciation of vacant structures throughout the United States. The property portfolios of vacant structures for many of these institutions, at least in part, are becoming run down with the effects spilling over to the hardworking neighbors in many hometowns and districts, including the one I represent.

The 145th Assembly District of New York State is confronted with this problem daily, constituents who are alarmed repeatedly call about vacant buildings and homes that are not maintained for months at a time, if at all. The main complaint is that there is no one to call, contact or hold responsible. Attempts to contact banks holding the mortgage, after a foreclosure proceeding is commenced, are met with recordings and in the rare instance when a person is reached no contact information of a responsible party or property management company is divulged. I have been told on several occasions that giving out this information would create privacy breaches. My staff has also been told that the information could not be divulged for fear of harassing phone calls made to individuals. These reasons seem specious because a neighbor living in a structure whose acts or omissions violate local building codes would not enjoy privacy protection nor avoid responsibility for requests made by neighbors to do basic upkeep on the premises. The run around is disconcerting and frustrating for many.

In an economic environment of dwindling net worth, degradation of our neighborhoods is an issue of national economic importance. In 2011, the states or policy laboratories of this country had no shortage of proposed legislative experiments to combat this issue. Arizona, Connecticut, Georgia, Hawaii, Illinois, Indiana, Kentucky, Maryland, Minnesota, Nevada, New Jersey, Oregon and Rhode Island have passed bills in one or both houses to address this lack of vacant property maintenance, accountability and responsibility. A federal response is hoped for.

The object of this editorial is not to denigrate banks or lenders. Nor is my aim to condemn capitalism,

but rather it is my goal that the banks exercise decent ethical business practices and conduct themselves responsibly and fairly in the communities in which they make their fortunes.

Thomas Jefferson once said, "Whenever you do a thing, act as if the world were watching.". It would be helpful if "doing" in this sentiment were extended to inaction and omissions for certain members of the banking community regarding foreclosures. Our goal is to convince the banking community of right action, not to poison the public discourse with more vituperation which has wearied everyone.

For the protection of our neighborhoods and communities, I have asked that Assembly Bill 10524 and Senate Bill 7620, which would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures, be speedily passed and signed into law in New York. It is my fervent hope that the people of New York contact their local representatives and join in this endeavor which concerns us all.

Michael P. Kearns  
New York State Assemblyman 145th District  
Legislative Office Building - Room 431  
Albany, New York 12248  
518-455-4691

#### OP-ED For Banks It's the Best of Both Worlds

In today's Great Recession a concern keeps coming to the forefront in my district (New York 145th Assembly District) and many districts throughout the country, "Who is responsible for upkeep and maintenance of properties which the families have vacated and banks hold a lien on?"

Analysis starts with the relationship between lender and customer, both enter into a mortgage contract regarding the sale and purchase of a home or business. When the customer defaults on a home mortgage, both parties turn to the contract in search of rights, remedies, obligations and responsibilities. The mortgage contract often contains "abandonment and waste clauses that grants the lender authority to enter the property prior to foreclosure in order to secure and maintain the collateral, the home." (City of Boston Resolution, "Regulating the Maintenance of Vacant Foreclosing Residential Properties," February 27, 2008) When the market is good and the property has significant value these clauses are routinely enforced. However, when the market hits a downturn or the property is run down, "some lenders argue that they are not responsible" and these provisions go unenforced. Perhaps a mandatory ownership designation clause in the event of default for all mortgage contracts would help clear up the banks status?

In New York when the property requires repairs under local housing and building code ordinances, it is in the banks best economic interests if "ownership" of the property remains ambiguous. Banks achieve this by relying on requirements of Real Property Actions and Proceedings Law § 1307 (Duty to maintain foreclosed property). The banks can assert that statutorily they aren't responsible because they haven't met the requirements of a "judgment of foreclosure and sale" and thus ownership. This effectively allows banks to shift responsibility for maintenance and upkeep of vacant properties onto a concerned municipality, neighborhood or homeowner's association. The statute allows banks to delay obtaining "ownership," if they obtain it at all. In short, the banks have the best of both the contractual and statutory worlds and may rely on either contract or statute to suit their economic interests.

How can this dilemma for municipalities, neighborhoods and homeowner's associations be solved? In Town of Huntington v. Lagone, 29 Misc 3d 779, 782 (Suffolk County, 2010) the court in interpreting RPAPL § 1307 refers the issue to the New York State Legislature as a policy matter and hints

it may be remedied by changing the statute. A solution may be as simple as including the words "in good faith" in the duty to maintain foreclosed property statute. In other words, if RPAPL § 1307 read, "A plaintiff [bank] in a mortgage foreclosure action who in good faith obtains a judgment of foreclosure and sale," the banks would be required to exercise good faith and not be allowed to delay obtaining a judgment of foreclosure and sale, but rather be forced to conclude the foreclosure sale and complete ownership status. The lack of good faith language effectively allows banks to argue that they are not a responsible party or owner of a vacant structure, when they delay taking action. There is no "bad faith" or breach of good faith for delays because the statute does not contain this language.

In an ideal world banks and lenders would exercise decent ethical business practices and conduct themselves responsibly and fairly in the communities in which they make their fortunes. Unfortunately, this is a pragmatic world and refining behavior requires statutory amendment, a mandatory mortgage clause indicating ownership upon default, as well as a statutory change that banks provide municipalities with contact information of a party responsible for maintenance. For my part I will be sponsoring a bill to add "good faith" language to RPAPL 1307. I hope that the People of New York agree with the above assessment and lend their voice to this issue by contacting their local state officials so that changes are made for everyone's benefit.

Michael P. Kearns, Assemblyman 145th District  
1074 Union Road  
West Seneca, New York 14224  
Buffalo, New York 14210  
716-608-6099

<The following RESOLUTION was adopted by the Town Board of the Town of.doc>

The following RESOLUTION was adopted by the Town Board of the Town of \_\_\_\_\_  
At a regular meeting held on \_\_\_\_\_:

Resolution XXX-XX

SUPPORT FOR NYS-CONTACT INFORMATION FOR VACANT STRUCTURES

On a motion made by Councilman \_\_\_\_\_, seconded by Councilman \_\_\_\_\_,  
the following was

ADOPTED      AYES      #      Councilman \_\_\_\_\_, Councilman \_\_\_\_\_  
                    NAYES     #      Councilman \_\_\_\_\_, Councilman \_\_\_\_\_

Resolved to support New York State regarding the proposed laws concerning contact information for vacant structures.

WHEREAS, vacant, abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years; and

WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties; and

WHEREAS, lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party; and

WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures; and require good faith in obtaining a foreclosure; and

WHEREAS, the Town of \_\_\_\_\_ Town Board supports the passage of said Bills.

NOW THEREFORE, BE IT RESOLVED that the town of \_\_\_\_\_ hereby supports the passage of said Bills and respectfully requests that the State Representatives who represents constituents in the Town of \_\_\_\_\_ support the passage of said Bills.

Copies of this resolution to be forwarded to Senator \_\_\_\_\_, Assemblyman \_\_\_\_\_, Co-Sponsors of this bill: Senator \_\_\_\_\_, Assemblyman \_\_\_\_\_.

I, \_\_\_\_\_ DO HEREBY CERTIFY, that the foregoing is a true copy of a Resolution passed by the Town Board of the Town of \_\_\_\_\_ at its regular meeting held on \_\_\_\_\_, and members of the Town Board had due notice of said meeting, and further that such resolution has been fully recorded in the Town Clerks books.

In Witness thereof, I have hereunto set my hand the XX day of XXXX, 2012

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XXXXX XXXXXXXXXX

Town Clerk

Town of XXXXXXXX

# Warren County Board of Supervisors

## RESOLUTION NO. 263 OF 2013

Resolution introduced by Supervisor Kenny and Montesi

### RESOLUTION REQUESTING FURTHER RESTRICTION BY THE NEW YORK STATE LIQUOR AUTHORITY OF HOURS OF SALE OF ALCOHOLIC BEVERAGES WITHIN WARREN COUNTY

#### RESOLUTION TABLED

WHEREAS, pursuant to §106 (5) of the Alcoholic Beverage Control Law, at the present time alcoholic beverages may not be sold, offered for sale or given away upon any premises licensed to sell alcoholic beverages in Warren County between the following hours: (a) Sunday, from 4:00 a.m. to 12:00 p.m. (noon) and (b) on any other day between 4:00 a.m. and 8:00 a.m., and

WHEREAS, on April 19, 2013 at 10:00 a.m. the Warren County Board of Supervisors conducted an informational session for the purpose of assessing public input and discussing whether the Board of Supervisors should request that the New York State Liquor Authority further restrict the hours of sale of alcoholic beverages within Warren County, and the Warren County Board of Supervisors having deliberated upon the issue, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby request that the New York State Liquor Authority restrict the hours of sale of alcoholic beverages within Warren County as follows:

- (a) Sunday, from 2:00 a.m. to 12:00 p.m. (noon),
- (b) any other day, 2:00 a.m. to 8:00 a.m. , and be it further

RESOLVED, that the Warren County Board of Supervisors hereby requests that the New York State Liquor Authority commence the process to consider the request for further restriction of hours of sale of alcoholic beverages within Warren County which process includes, in accordance with §17 (11) of the Alcoholic Beverage Control Law, a hearing within County, and be it further

RESOLVED, the Chairman of the Board of Supervisors and the Warren County Attorney are authorized to submit this resolution to the New York State Liquor Authority together with any and all documents that may be necessary to further the request of the Board of Supervisors as set forth in this resolution.