

Introduced by Presiding Officer, on request of the County Executive and Legislators Cilmi, Horsley, Gregory

HOME RULE MESSAGE REQUESTING THE NEW YORK STATE LEGISLATURE TO AMEND CHAPTER 311 OF THE LAWS OF 1920, CONSTITUTING THE SUFFOLK COUNTY TAX ACT, IN RELATION TO THE SALE OF DELINQUENT TAX LIENS ON BROWNFIELDS PROPERTY (ASSEMBLY BILL A. A5554 AND SENATE BILL S. 4229)

WHEREAS, the purpose of Assembly Bill No. A. 5554 and Senate Bill No. S. 4229 is to amend the Suffolk County Tax Act to allow the County to sell tax liens it holds on sites identified as Brownfield sites, because of their past use and/or the presence of known contamination thereon, for less than the value of said liens; and

WHEREAS, there are currently seventy-six parcels, encompassing approximately 215 acres, in Suffolk County with tax liens that are eligible for sale or disposal, for which the County has refrained from taking tax deeds because these parcels have been designated as Brownfields sites, which often have an appraised value of less than the amount of the tax lien and the cost to remediate the property; and

WHEREAS, allowing the County, the option to sell or dispose of the tax liens for less than the outstanding tax due on a Brownfield parcel with the requirement that the buyer will remediate the parcel will promote private developers to acquire the tax liens, invest money to clean up the land, and convert these contaminated non-taxpaying parcels into a productive taxpaying use; and

WHEREAS, legislation has been introduced in the New York State Senate and the New York State Assembly to amend the Suffolk County Tax Act to authorize Suffolk County to sell or dispose of tax liens for less than the outstanding tax due on liens on parcels identified as Brownfields, except Superfund sites, and to require remediation by purchasers, now, therefore be it:

1st RESOLVED, that this Legislature hereby requests the State of New York to enact Assembly Bill No. A. 5554 and Senate Bill No. S. 4229 for the purpose of amending Chapter 311 of the Laws of 1920, constituting the Suffolk County Tax Act, in relation to the sale of delinquent tax liens on Brownfields Property; and be it further

2nd RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to the Honorable Andrew M. Cuomo, Governor of the State of New York; to the Majority Leader of the New York State Senate Dean G. Skelos; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island Delegation to the New York State Legislature.

DATED: April 26, 2011