

RESOLUTION NO. 465

**ADOPTING A POLICY REQUIRING WATER BOARDS TO DETAIL
METERED AND UNMETERED WATER RATES AND ESTABLISHING
THAT ALBANY COUNTY WILL NOT LEVY WATER CHARGES FOR
UNMETERED PROPERTIES WITHOUT SAID DETAIL**

Introduced: 10/15/13

By Messrs. Higgins, Bullock, Nichols and O'Brien:

WHEREAS, Vacant and abandoned properties present a danger to the health and safety of local residents, result in costs and loss of revenues to local governments, and discourage further investment in the community, and

WHEREAS, The Albany County Legislature recognizes the negative effects vacant, abandoned and tax-delinquent properties have on the social and economic vitality of communities, surrounding properties, and municipalities in general. In addition to the social cost to communities and neighboring owners and residents, vacant and abandoned properties increase local costs in code and regulatory compliance, fire and police protection, emergency responses, and cause the tax base to decrease, and

WHEREAS, The Legislature further recognizes that Albany County is currently expending much-needed taxpayer funds solely for the purposes of making municipalities whole for delinquent taxes; boarding up, maintaining, paying outstanding water bills for vacant properties; and demolishing vacant buildings, and

WHEREAS, It is the intent of the Legislature and Albany County government that those funds be redirected to positive purposes that have the effect of decreasing the numbers of tax-delinquent properties, revitalizing communities and increasing the tax rolls to the benefit of all its citizens. It is further the intent of this legislation to provide pro-active tools to mitigate costs, spur investment and improve property values within the land bank area, and

WHEREAS, The County Legislature annually appropriates hundreds of thousands of dollars to cover maintenance and demolition costs associated with foreclosed parcels, and

WHEREAS, The costs of such demolitions regularly exceeds the total amount budgeted, and

WHEREAS, The County recognizes that water bills often accumulate on many of the buildings taken through its tax foreclosure process, and

WHEREAS, Oftentimes these buildings have been vacant for several years with no significant water usage or in some instances vacant lots taken via this process use no water at all and yet are charged an unmetered rate, and

WHEREAS, To date, no process or procedure to review water usage or turn off meters at many buildings, irrespective of whether said properties are on the City of Albany's vacant building registry or another municipality's has occurred, and

WHEREAS, It would be in the best interests of all Albany County taxpayers to have such a policy established to reduce the amount of water allegedly being used on such properties and also to prevent additional costs for such service, and

WHEREAS, In 2010 by Resolution No. 365 sponsored by Legislator Morse, a policy was established requiring prior approval by the County for demolition of any property that will be transferred to the County as a result of delinquent taxes, and

WHEREAS, The aforementioned resolution specifically stated that Albany County will not reimburse a municipality for the costs of said demolition after the fact, now, therefore be it

RESOLVED, By the Albany County Legislature that a policy is hereby established whereas the County will no longer continue remunerating payments to the Albany Water Board or any other water board for unmetered water charges on properties that Albany County would otherwise levy onto the tax rolls, and, be it further

RESOLVED, That municipal water boards shall, via a process and procedure, provide Albany County on the statements of unpaid water and sewage provided indicate whether such water charges were metered or unmetered rates as well as whether any of said properties are registered on the City of Albany Vacant Building Register. Moreover water boards shall verify to the county those buildings within its respective jurisdiction where water bills have gone unpaid for three consecutive billing cycles in order for the county to verify whether such property is vacant or abandoned, and, be it further

RESOLVED, That municipal water boards shall provide this information within 90 days of enactment of this resolution to both the County Executive and Clerk of the Albany County Legislature and if not, the County of Albany shall not levy and assess such water and sewer charges, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials and to every water board which provided the County with a statement of unpaid water and sewer charges from 2012.

Referred to Law Committee. 10/15/13