

DEC agreement with state & local partners to redevelop former industrial sites in Niagara, Orleans counties

See the list of sites at www.wnypapers.com

Agreement said to remove obstacles, put properties back on tax rolls, protect communities

The New York State Department of Environmental Conservation on Tuesday announced a new cooperative agreement with the state comptroller's office; Niagara County; Orleans County; the cities of Lockport, Niagara Falls and North Tonawanda; and the Niagara Orleans Regional Land Improvement Corp. (NORLIC) to promote the redevelopment of dozens of potentially contaminated properties in Niagara and Orleans counties. The agreement, the DEC said, is designed to remove contaminated properties from tax foreclosure lists and put these sites back into productive use while addressing any potential contamination.

"For families like mine in Western New York who witnessed factories fall to industrial decline and decay, today's announcement represents a long-overdue sign of revitalization," Lt. Gov. Kathy Hochul said. "This agreement is how we turn around Western New York and further reimagine the region as an economic powerhouse for the post-pandemic future."

DEC Commissioner Basil Seggos said, "This state-local partnership will help reverse blight, turn delinquent properties into new businesses, and clean up brownfields to create healthier communities in Niagara and Orleans counties. Gov. Andrew Cuomo is committed to providing local governments with resources to grow economies and revitalize neighborhoods, and DEC will continue using tools like this agreement to promote redevelopment across the state."

A press release stated, "NORLIC works with city and county officials in Niagara and Orleans counties to help address problems stemming from vacant, abandoned, tax-delinquent, and underutilized properties by taking title to properties. Once acquired, the properties are repurposed, redeveloped, resold and ultimately restored to the tax rolls. The foreclosure process and resale can be complicated by the potential presence of contamination from prior uses or historical spills on these tax delinquent properties."

"To address concerns such as liability, cost recovery and access to potentially contaminated sites, the agreement helps remove these and other obstacles that prevent the economic development of vacant and underused



Vacant auto repair and junkyard sites are among 81 properties identified in the agreement. (Metro Creative Connection)

properties. The agreement announced today allows entities such as cities, counties and land banks to foreclose or take title of properties that are contaminated or potentially contaminated without becoming immediately liable for that contamination or past cleanup costs expended by the spill fund or DEC. In addition, the agreement announced today provides a mechanism for sharing future sale proceeds from properties to help recover past costs incurred by the state for the cleanup of contamination."

If a site requires a cleanup, the agreement requires the developer and/or new property owner to enter one of DEC's remedial programs, such as the brownfield cleanup program or the spill response program funded by the New York Environmental Protection and Spill Compensation Fund.

"This agreement removes a sig-

nificant impediment associated with returning brownfield properties to productive use while at the same time adding to the local tax rolls and working to ensure public health and the environment are protected by addressing any contamination," DEC Region 9 Acting Director Chad Staniszewski said. "We look forward to continuing our work together using the tools available to create healthier and more prosperous cities and counties in our region."

Niagara County Legislature Chairwoman Becky Wydysh said, "Niagara County has simply not been able to foreclose on properties that were delinquent on their taxes if those sites had potential contamination, because it put taxpayers on the hook for the cost of cleanup. This allowed some landowners to simply stop paying their taxes and kept strategic parcels of land from being repurposed for future develop-

ment. With this agreement, we can finally begin to aggressively move forward in pursuing economic development opportunities for these sites. I thank DEC for their partnership in reaching this agreement as we believe it will have significant benefit for communities across Niagara County."

Orleans County Legislature Chairwoman Lynne M. Johnson said, "In the past, the NORLIC has enabled us to address environmental concerns in the Village of Albion. I am pleased the flexibility of this new agreement provides for amendments, which gives us the ability to direct attention to properties in Orleans County that could pose potential risks to public health in the future."

City of Niagara Falls Mayor Robert Restaino said, "This agreement presents an exciting opportunity for Niagara Falls to transform properties formerly deemed undesirable into productive and safe development sites. Our community can benefit greatly by the program, and Niagara Falls is excited to be a part of this progressive effort to rehabilitate long-dormant properties and create new development opportunities to grow our local economy."

City of Lockport Mayor Michelle M. Roman said, "The City of Lockport appreciates the DEC's continued commitment to partner with us and our surrounding area in improving the quality of life within our community. This initiative will help break down the barriers that contaminated sites present to our city. This collaboration will allow these sites to be part of the growth and development of our area and reach our fullest potential for a healthy, vibrant community for residents, businesses and visitors."

North Tonawanda Mayor Arthur Pappas said, "Thank you to the DEC and NORLIC. This agreement will protect and help grow our local communities."

There are currently 81 properties identified in the agreement, including 21 properties in the Town of Wheatfield and City of Niagara Falls. Sites also include vacant industrial properties in the Town of Royalton, Village of Middleport, and Town of Niagara, as well as properties in the City of Lockport, and the towns of Cambria, Lewiston, Lockport, Newfane and Pendleton. Properties range in size from less than one acre to 73 acres. The agreement provides flexibility to amend the list in the future.

The Niagara-Orleans agreement is similar to agreements DEC signed last year with Onondaga County to address 138 properties and with Wayne County to address 26 properties. In addition, the 2016 DEC agreement with Suffolk County and the Suffolk County Land Bank helped remediate 12 properties with a combined tax delinquency of 195 years, and some properties had been tax delinquent for as long as 28 years. For more information about DEC's cleanup programs, visit DEC's website at <https://www.dec.ny.gov/chemical/brownfields.html>.

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