

RESOLUTION NO. 364

ESTABLISHING THE ALBANY COUNTY PROPERTY DEVELOPMENT CORPORATION A NEW YORK LAND BANK, PURSUANT TO ARTICLE 16 OF THE NEW YORK STATE NOT-FOR-PROFIT CORPORATION LAW AND AUTHORIZING THE EXECUTION OF AGREEMENTS WITH MUNICIPALITIES LOCATED WITHIN ALBANY COUNTY

Introduced: 9/10/12

By Messrs. Higgins, Nichols, Mss. Kinsch, McKnight, Messrs. Bullock, Ms. Chapman, Messrs. Domalewicz and O'Brien:

WHEREAS, Addressing the need to strengthen and revitalize local communities, New York State recently enacted the "Land Bank Act" (Not-for-Profit Corporation Law, Article 16) which authorizes municipalities to establish individual or cooperative land banks; and

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, Land banks allow municipalities to acquire, redevelop and improve tax delinquent, vacant or abandoned property, thereby providing a mechanism for municipalities to acquire blighted properties and convert them to productive uses; and

WHEREAS, To maximize opportunities and increase efficiencies, the County of Albany desires to work cooperatively with its municipalities and establish a county land bank; and

WHEREAS, Albany County shall also simultaneously continue to explore the option of joining a regional land bank should that option move forward in conjunction with other local governments and municipalities; and

WHEREAS, Pursuant to the Land Bank Act, it is necessary to adopt a resolution establishing the Land Bank on behalf of the County; and

WHEREAS, The bylaws to be submitted shall provide that any amendments to the bylaws regarding the number, term or qualifications of members of the Board, shall require the approval of the Albany County Legislature now, therefore be it

RESOLVED, There is hereby created a land bank on behalf of the County of Albany, to be known as the "Albany County Land Bank Development Corporation" a New York Land Bank, and, be it further

RESOLVED, That the Board of Directors shall consist of nine, (9) members, and, be it further

RESOLVED, That six of the members shall be nominated and terms of the Board of Directors set forth as follows with the remaining three board members selected from applications submitted from interested stakeholders, community service providers and

other applicants and subject to approval by a two thirds majority of the initial six members appointed pursuant to this resolution.

Two members appointed by the County Executive of Albany County: one appointee for a term of two (2) years; and the other appointee for a term of three (3) years;
Two members appointed by the Chairman of the Albany County Legislature after extensive community outreach and input, and confirmed by the Albany County Legislature for terms of two (2) years;

One member appointed by the Treasurer of the City of Albany, and confirmed by the Common Council of the City of Albany for a term of two (2) years;

One member appointed by the Minority Leader of the Albany County legislature for a term of two (2) years and confirmed by the County Legislature, and, be it further

RESOLVED, That the term of said directors after the initial term shall be two (2) years, and, be it further

RESOLVED, That all members of the board of the Land Bank shall be residents of the County of Albany, and the member appointed in whole by the Treasurer of the City of Albany shall be a resident of the City of Albany, and, be it further

RESOLVED, That each Board member, at the election of his or her appointing Party, may serve a Maximum of two (2) full terms, in addition to any partial term for which such member was appointed to fill a vacancy or any initial term that is less than a full two (2) or three (3) year term as the case may be; and, be it further

RESOLVED, That the Articles of Incorporation for the Land Bank shall be in substantially the same form attached to this resolution and hereby are approved; and, be it further

RESOLVED, That the County Executive hereby is authorized to execute any and all documentation necessary for filing and incorporation with the State of New York to form the Albany County Property Development Corporation, a New York Land Bank, in substantially the form on file with the Clerk of this Legislature, and to execute and file such other documents to establish said New York Land Bank with any other management, operating, administrative contracts or agreements subject to separate approval of the Legislature, and, be it further

RESOLVED, That the Clerk of this Legislature hereby is directed to conform the applicable documents, including the Articles of Incorporation, and file this resolution with the Urban Development Corporation pursuant to the provisions of the Land Bank Act, Chapter 257 of the Laws of 2011.

Referred to Audit and Finance Committee. 9/10/12