

Establishing “The Ulster County Land Bank Development Corporation”, A New York State Landbank

Referred to: The Economic Development, Tourism, Housing, Planning and Transit Committee (Chairman Cahill and Legislators Archer, Corcoran, Delaune, Litts, Maio, and Uchitelle), and The Ways and Means Committee (Chairman Gavaris and Legislators Archer, Bartels, Haynes, Maio, Parete, Ronk, and Walter)

Vice-Chairwoman of the Legislature, Tracey A. Bartels, and Legislators Archer, Criswell, Delaune, Donaldson, Gavaris, Greene, Heppner, Petit and Walter offer the following:

WHEREAS, Article 16 of the New York State Not-For-Profit Corporation Law, (“NYS Land Bank Act”), 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 and reduce surrounding property values, all culminating in significant costs and loss of revenue to the County; and

WHEREAS, the COVID-19 pandemic and the consequential fluctuation in the housing market has adversely impacted the availability of affordable housing in Ulster County; and

WHEREAS, in accordance with the NYS Land Bank Act, the Ulster County Legislature deems it appropriate and necessary to establish a land bank in Ulster County, to effectively decrease the number of tax-delinquent properties, revitalize communities within Ulster County, increase tax rolls for the benefit of all citizens, provide pro-active tools to mitigate costs, spur investment and improve property values; and

WHEREAS, it is the intent of the Ulster County Legislature that the not-for-profit corporation established herein operate in a community centric, collaborative manner, utilizing information gathered from Ulster County residents and subject matter experts alike; and

WHEREAS, the Ulster County Land Bank Corporation shall promulgate policies and procedures that encourage diverse affordable housing options for a broad mix of income levels, provide for sufficient commercial opportunities, preserve green space and public safety and facilitate infrastructure development; now, therefore, be it

RESOLVED, that there is hereby created a land bank on behalf of Ulster County, to be known as “The Ulster County Land Bank Development Corporation”, a New York State Land Bank; and, be it further

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RESOLVED, that the Directors of the Corporation shall create capital generating and revenue sharing programs designed to provide the assets necessary for the successful start-up and continued operation of the corporation; and, be it further

RESOLVED, that the by-laws of the Ulster County Land Bank Development Corporation shall require the Board of Directors to create a resident advisory committee, which shall provide input to the Board of Directors and which shall be composed of representatives of the geographic areas in which the land bank operates; and, be it further

RESOLVED, that the Board of Directors shall consist of 7 members, which shall be appointed by the Ulster County Legislature; Said members shall represent areas of expertise including, but not limited to: the building industry, architectural/planning and/or design industry, green space development, financial services, property management, municipal affairs, buildings and codes, real estate, building demolition industry, and historical renovation services; and, be it further

RESOLVED, that the following individuals are hereby appointed as members of the Board of Directors: TBD, TBD, TBD, TBD, TBD; TBD, TBD, and be it further

RESOLVED, that all members of the Board of Directors shall serve at the pleasure of the Legislature and be residents, or have their primary place of business, situated within the County of Ulster; and, be it further

RESOLVED, one appointee of the Board of Directors shall serve an initial term of one year, three for an initial term of two years, and three for an initial term of three years, with appointments thereafter being for a term of three years; and, be it further

RESOLVED, that the Board of Directors shall submit an annual written report to the Clerk of the Legislature, on or before March 1st of each year following the enactment of this Resolution, outlining the action taken by the Ulster County Land Bank Corporation during the preceding year; and, be it further

RESOLVED, that the County Attorney is requested to assist with the development of the applicable and necessary documentation to accomplish the objectives as set forth in this Resolution; and, be it further

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RESOLVED, that the County Executive is authorized to execute the documentation necessary for incorporation of the “Ulster County Land Bank Development Corporation” with the State of New York and to execute and file such other documents necessary to establish said Land Bank, including, but not limited to, other management, operating and administrative contracts or agreements, which shall all be subject to the separate prior approval of the Ulster County Legislature; and, be it further

RESOLVED, that the Clerk of the Legislature shall file this Resolution, together with all applicable and necessary documentation pursuant to the provisions of Article 16 of the New York State Not-For-Profit Corporation Law,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Postponed in Committee: Economic Development, Tourism, Housing, Planning and Transit on July 13, 2021 with consent

No Action Taken in Committee: Economic Development, Tourism, Housing, Planning and Transit on August 3, 2021 with consent

Passed Committee: Ways and Means on _____.

FINANCIAL IMPACT:

NONE