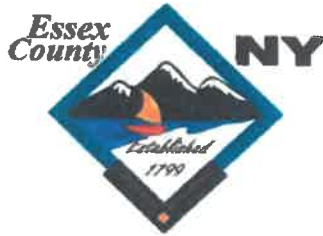


County Attorney
Daniel T. Manning

7551 Court Street
P.O. Box 217
Elizabethtown, NY 12932
(518) 873-3380
Fax (518) 873-3894

Daniel.Manning@essexcountyny.gov



ESSEX COUNTY ATTORNEY

Assistant County Attorney
William A. Tansey, Esq.
(518) 873-3386

Fax (518) 873-3894
William.Tansey@essexcountyny.gov

March 21, 2023

Steve Gawlik, Esq
Empire State Development

VIA EMAIL: Stephen.gawlik@esd.ny.gov

Re: Essex County Land Bank Corporation Application

Dear Attorney Gawlik:

Enclosed is our application to form the Essex County Land Bank Corporation. Attached to the application is the Essex County Board of Supervisors Resolution to create the land bank, our proposed certificate of incorporation, a copy of our bylaws, and our proposed non-discrimination and affirmative action policy. There are no applicable intergovernmental agreements.

Based upon our phone conversation last week, I am submitting the Resolution with two town supervisors listed as the initial board of directors and the proposed certificate of incorporation listing the intended complete board membership. The Essex County Land Bank Corporation intends to use the same board members as those of Pride of Ticonderoga, however those individuals have requested not to be listed on the resolution until the land bank application is approved. (The Pride of Ticonderoga is a local non-profit heavily engaged in grant management for housing, economic development, and historic preservation programs.) So my intention would be to get an amended resolution listing the complete set of initial board members upon acceptance of our application or upon notice from you that our application is set for final approval.

Please let me know if there is anything else you need from me or if there is anything I can do to strengthen our application. I am also standing by to sign any letters directed to the Finance Department for authorization to use 'bank' in our corporate name.

Thank you for your consideration in this matter.

Very Truly Yours,

A handwritten signature in blue ink that reads "W. Tansey".

William A. Tansey

Applicant Name

ESSEX COUNTY

**NEW YORK STATE
LAND BANK PROGRAM**

Empire State Development (ESD)

APPLICATION

Land Bank Program Information

New York State's Land Bank Program was established with enactment of Article 16 of the New York State Not-for-Profit Corporation Law (the "Act"). Pursuant to the provisions of the Act, governmental entities that possess the power to foreclose on tax liens are permitted to create a not-for-profit corporation whose purpose is to facilitate the return of vacant, abandoned, and tax delinquent properties to productive use. Pursuant to Section 1603 of the Act, the creation of a land bank is conditioned upon approval of the New York State Urban Development Corporation d/b/a Empire State Development ("ESD"). The Act further limits the number of land banks permitted to be created in the State to thirty-five.

Prior to completion and submission of this application, applicants are strongly encouraged to review the Program Guidelines and the provisions of the Act. Links to the Program Guidelines, Application and Land Bank Act can be found on ESD's website at: <https://esd.ny.gov/new-york-state-land-bank-program>

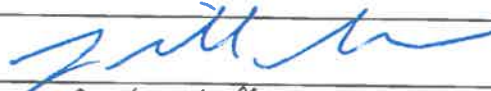
Applications must be submitted to the appropriate ESD Regional Office as identified in the Guidelines in order to be considered. ESD shall also accept applications electronically submitted in .PDF format that are emailed to NYLandbank@esd.ny.gov.

Once a total of thirty-five applications are approved, ESD will no longer accept applications.

Part 1 – Application Checklist and Certification

Applicant Name	ESSEX COUNTY		
Requirements	Yes	No	N/A
1) Certification signed by municipal official?	X		
2) Applicant is a Foreclosing Government Entity (FGU) as defined pursuant to Section 1602(c) of the NYS Not-for-Profit Corporation Law?	X		
3) Applicant has adopted a local law, ordinance or resolution for creation of a land bank?	X		
4) The local law, ordinance or resolution includes the following:			
a) the name of the land bank? Essex County Land Bank			
b) the number of members of the Board of Directors?	7		
c) the initial individuals to serve as members of the board of directors and the length of terms for which they are to serve?			
d) if two or more FGUs and/or municipalities agree to the creation of a single land bank, authorizes execution of an intergovernmental agreement?			X
5) Required attachments are included:			
a) copies of the local law(s), ordinance(s) and/or resolution(s)	X		
b) copies of all intergovernmental agreements			X
c) copy of the proposed certificate of incorporation and proposed by-laws of the land bank	X		
d) copy of the proposed non-discrimination and affirmative action policy of the land bank	X		

Certification: The undersigned solemnly affirms that to the best of my knowledge, information and belief, the application is complete and that all statements and information submitted in connection herewith are true and accurate.

Municipal Official Signature			
Type Name	Michael Mascarenas		
Title	County Manager	Date	3/21/23

Part 2 – Applicant Information

Part 2 – A. Municipal Information - Complete for each FGU, municipality and school district

Applicant Name	Essex County	
Street Address (not PO Box)	7551 Court Street	
City, State, Zip	Elizabethtown, NY 12932	
County	Essex	
Contact Name	Michael Mascarenas	
Title	County Manager	
Phone Number	518-873-3333	
E-Mail Address	countymanager@essexcountyny.gov	
Type of Municipality or School District	County <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> School District <input type="checkbox"/>	
Senate District(s) # and Name(s) (If multiple, list all. Attach additional page if necessary.)	#45	
Assembly District(s) # and Name(s) (If multiple, list all. Attach additional page if necessary.)	#114	

Part 2 – B. Land Bank Information

Name of Land Bank	ESSEX COUNTY LAND BANK	
Geographic area the Land Bank will operate	ESSEX COUNTY	
Does the land bank consist of more than one FGU, municipality and/or school districts (if yes, attach copies of the intergovernmental cooperation agreements governing operation of the land bank and complete the above section, Part 2-A, for each FGU, municipality and/or school district).	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
List the name of each FGU, municipality and/or school district participating	ESSEX COUNTY, NEW YORK	
Number of Directors (must consist of odd numbers, and shall not be less than five or more than fifteen).	8	
List the name and title of the individuals to serve as initial members of the board of directors.	(1) Stuart Baker, President	
	(2) Tom Schaffer, Secretary	
	(3) Ross Kelley, Treasurer	
	(4) Robert Pickoff, Director	
	(5) Allison Kaupelis, Director	
	(6) Nicholas Fitzgerald, Director	
	(7) Supervisor Jim Monty, <i>ex officio</i>	
	(8) Supervisor Mark Wright, <i>ex officio</i>	

Part 3 – General Information - Use additional pages if necessary

Applicant Name **ESSEX COUNTY**

Part 3 –A: General information

1. Describe the overall goals, mission and focus of the land bank.

The overall goal of the Essex County Land Bank is to turn vacant spaces into vibrant places by solving the problems of vacant and abandoned property in our County through the acquisition of real property that is tax delinquent, tax foreclosed, vacant, and/or abandoned and to use tools available only to a New York State approved Land Bank to eliminate the harms and liabilities caused by such problems.

Vision: We envision safe, healthy, and attainable housing to improve the quality of life for all Essex County community members.

Mission: Working together to build opportunities to strengthen and improve Essex County neighborhoods by:

- redeveloping under-utilized properties to better serve the community;
- eliminating the harms and liabilities of hazardous properties;
- returning vacant, blighted, abandoned and tax delinquent properties to productive use and making them affordable to qualified consumers and developers to stimulate economic growth and support community development to meet its needs;
- developing and improving available housing stock to increase affordable housing opportunities preserving established housing for the current and next generations.

2. Describe the nature and extent of the intergovernmental cooperation for the proposed land bank.

The Essex County Land Bank will be created by the Essex County Board of Supervisors upon the recommendation from the Essex County Low and Moderate Income Housing TaskForce and the Ways and Means Committee, working independently as its own foreclosing governmental unit (FGU). There will be no intergovernmental cooperation agreements with any other FGU.

Absent any intergovernmental cooperation agreement, the Essex County Board of Supervisors will always first defer to the preferences of the local governing board of each of the 18 towns that fall within the county's boundaries. Working first with the County Attorney as their office prepares for the annual tax foreclosure auction, the Essex County Board of Supervisors will utilize their internal County resources (i.e. County Code Enforcement Officer, County Treasurer, County Attorney, Department of Public Works) to identify foreclosure candidates of high interest to be held for acquisition by the Essex County Land Bank. Once the County government has narrowed down the properties of high interest (based on feedback from the aforementioned County resources), the County will share those high value property candidates with the respective Town Supervisor. It will then be the responsibility of that Town Supervisor to then consult with their local Town Board to determine if the Town Board can support their local property going to the Essex County Land Bank for development. Pending their approval, the Essex County Board of Supervisors would inform the Essex County Treasurer of the desire, by majority vote, to remove the property candidate from the tax foreclosure list to be given to the Land Bank for their acquisition and development.

3. Explain why a land bank is needed in the jurisdictions in which the land bank will operate?

A land bank is needed in Essex County to help reduce the problem of vacant, abandoned, and blighted properties in our communities. The primary focus of the land bank will be the acquisition of real property that is tax delinquent, tax foreclosed, vacant and/or abandoned and use the program's resources to eliminate the harms and liabilities caused by these properties and return them to productive uses. Decisions regarding specific projects will be made using our adopted internal policies and procedures to ensure that the "greatest impact" and "greatest need" rating are met. This framework is currently being employed by fellow NYS Land Banks, including Tioga County.

Essex County is currently facing a housing shortage crisis, pervasive all across the North County and throughout New York State. Essex County's number one revenue generator is tourism, with an estimated \$758,300,000 of tourism dollars generated in our County in 2021. 38% of direct and indirect employment was generated by tourism in 2021.¹ Workforce housing is desperately needed to support our regional economy. A Land Bank will help low and moderate income families invest in local affordable housing, which deepens the quality of life in neighborhoods, increases the potential workforce, helps maintain community character, protects the quality of life, and reinforces property values. Many families living in Essex County live below the ALICE (Asset Limited Income Constrained Employed) threshold. One of the largest contributors to their financial instability is the lack of stable housing. Housing instability profoundly affects a family's overall well-being and results in poor physical health, increased family stress, social isolation, and lower academic performance. In 2019, 68% of ALICE threshold families in New York were renters. Housing costs remain the most expensive item in the Household Survival Budget. Studies show that the longer a child lives at their residence, the more likely their family will have a higher income. Families living above and below the ALICE threshold in renter households were more likely to have moved in the past year than those in owner households.²

Additionally, Essex County has approximately 25,236 available housing units. 9,032 of those units are vacant, or 36%. The County's housing stock is aged, with the median age of its housing units being 59 years. 64.3% of the County's housing units were built before 1980, making the available stock rife with code, health, and safety issues. The Essex County Land Bank will serve as a backstop to the housing market economy for those properties that the general market has given up on and in turn create viable homeownership opportunities for LMI residents, families, and the elderly.

¹ Tourism Economics, Oxford Economic Company. "2021 NYS Tourism Economic Impact Study: Adirondacks Focus." *Roost ADK*, August 2022.

²New York Research Brief, "United of ALICE," United of ALICE, April 2022, pp. 1-5.

4. Describe the measurable results and economic impact the applicant expects to achieve through the operation of the land bank.

The Essex County Land Bank expects to be able to measure the following results:

- Reduction of tax delinquent properties
- Increase tax base
- Development and Improvement of available housing stock
- Elimination of the harm and liabilities of hazardous blighted properties
- Reinforce property values
- To decrease the overall number of ALICE Threshold families suffering from housing instability in Essex county.

Additional secondary goals we hope to achieve are as follows:

- Improve the quality of life for Essex County community members
- Community revitalization
- Develop deeper sense of community with non-transient neighbors
- Provide a place for workers in our tourism economy to live and raise families
- Increase of population in our local schools because of families owning once unaffordable or unattainable pieces of properties.

5. When is the land bank expected to begin operating? Include in this response the expected time line for when the land bank is expected to be created, when it is expected to begin operating, when it is expected it will acquire its first property and any other expected milestones.

Our County government has already begun organizing the shell of an unofficial land bank. We've worked collaboratively with local government officials and County departments to kick start our efforts for the past two years. In 2023, the Land Bank shell will work internally with local government officials and departments to collectively educate all involved parties about the Land Bank's policies and procedures from identifying properties, to procuring funds to rehabilitate that chosen property, to getting that rehabilitated property into the hands of a vetted family, and finally working with that vetted family to transition into Land Bank homeownership.

- Step 1 - County Board approval of this application to be submitted to ESD for review (Q1 2023)
- Step 2 - Approval by ESD (Q2 2023)
- Step 3 - Formalize an MOU and finalize the bylaws with Pride of Ticonderoga, Inc, which will serve as the 501(c)(3) to operate the Land Bank. (Q2 2023)
- Step 4 - Once approved by Pride of Ticonderoga, Inc., the Land Bank will officially exist and can begin operation immediately. (Q2 2023)
- Step 5 - Essex County will go through the process, as outlined in Question 2, to determine property acquisition (Q2/Q3 2023)
- Step 6 - Properties will be rehabilitated following the policies and procedures of the Essex County Land Bank. (2023-2024)
- Step 7 - The Land Bank will inform HAPEC (Housing Assistance Program of Essex County) during the rehabilitation of the costs and timeline so that HAPEC can identify families that can afford the home giving the potential homeowners time to prepare to purchase the property at the completion of the rehabilitation. HAPEC will prioritize community members on their homebuyer waitlist. (2023-2024)
- Step 8 - The potential Land Bank homeowners will work with Adirondack Community Housing Trust to determine if the property is a good fit to be added to the Housing Trust when the property is sold. (2023-2024)
- Step 9 - Go back to Step 5 and repeat.

Part 3 – General Information - Use additional pages if necessary

Applicant Name | **Essex County**

Part 3 –B: Property information

1. Describe the nature and extent of the inventory of vacant, abandoned and tax delinquent properties in the geographic area in which the land bank will operate.

In 2022, approximately 40 tax-delinquent properties in Essex County were up for purchase at the tax foreclosure auction in August. Any one of these properties could have been a strong candidate for the Essex County Land Bank. Essex County, because of its sheer geographic size coupled with its low population density (we rank #61 out of 62 counties) presents very challenging economic conditions unique to each of the 18 encompassing towns.³

What Essex County did was vet the properties that were most suited for our mission. Utilizing our foreclosure auction, we selected 19 properties in various towns throughout the county. These properties were chosen due to:

1. The opportunity to repurpose abandoned properties in a manner consistent with the communities values and needs.
2. Demolishing unsalvageable homes and creating building lots;
3. Rehabbing the properties and sell to individuals that are year round residents in Essex County;

Properties that are desirable to the landbank are those that are:

1. Located in a hamlet
2. Close to services: Health Centers, Grocery Stores, Transportation Systems, etc.
3. Affordable, in terms of market and taxes.
4. Able to be repurposed or rehabilitated at a cost that is not prohibitive.
5. Creating a blight or unsafe building condition in a community.
6. Located in a township where the housing stock has become scarce due to second homes and vacation rentals.

Of the 19 properties selected, the Board agreed to and currently has one property that is ready to go into the land bank should it be approved. This property is in Jay, New York.

The Essex County Board of Supervisors, in their attempt to spur on local economies and improve the blight in our communities, seeks to get ahead of the problem by enacting a mechanism uniquely created to solve such problems. We have annual tax auctions that have extensive opportunity for landbank inclusion. Properties at our last auction produced an inventory of 78.

³ <http://www.usa.com/rank/new-york-state--population-density--county-rank.htm>

2. Describe how the land bank will acquire property?

The Essex County Land Bank envisions property acquisition in two ways:

1. Acquisition through Foreclosure/Tax Auction
The Essex County Land Bank would work with the Essex County Treasurer to determine the list of Essex County parcels coming up annually on the foreclosure/tax auction list. The Land Bank would vet each parcel to determine interest and once determined, would inform the Essex County Treasurer of the intent to purchase.
2. Acquisition through Donation
The Essex County Land Bank would be willing and able to accept donations of properties from individuals interested in divesting themselves of their property. A donation does not automatically mean acceptance by the Essex County Land Bank, but it does open up the option to investigate feasibility.

3. Describe the expected inventory of property that will be acquired by the land bank.

Housing Stock Information^[1]:

1. The percent of owner-occupied housing units: 76.4%
2. 25,236 available units in Essex County
3. Percentage of owner-occupied housing units built before 1980: 64.3%
4. Median year structure built by tenure: 59 years old
5. 9,032 Vacant Housing Units in Essex County or 36%

With an expanding affordable housing crisis across the country, approximately 75% of PRIDE's current applicants qualify for HUD funding. The estimated total of homes built before 1980 within Essex County is approximately 64.3% of its housing stock. Most residents struggle to make ends meet and have less purchasing and saving power than other counties due to our county's size and isolated rural centers. COVID-19 caused a nationwide price increase in construction materials as well as housing prices. Urban dwellers with larger expendable incomes flock to our service area and further limit its housing market. These related factors compounded the affordability crisis, which was already in effect when new valuations for tax assessments began. Routine housing stock maintenance has been ignored. Inflation has only amplified this already unbearable expense. Affordable homeownership is a path to building generational wealth and breaking out of the cycle of poverty caused by the lack of homeownership. Many elderly residents and those with young children have spoken to PRIDE staff about their budgeting issues. Frequently residents are forced to balance paying for medication, daycare, or food with exorbitant rents, further impeding their home ownership prospects.

The inventory will be primarily from the County tax auction that occurs on an annual basis. The inventory of desirable properties was described in Part 3 question 1. (please see above) The annual county auction typically produces between 75 and 100 properties annually. The land bank would typically handle between 3 and 5 of these properties based on meeting the criteria of the land bank and financial ability of the land bank.

[1] Source: Cusick, David. "The Median Age of Homes in the United States by Build Year." *The Median Age of Homes in the United States by Build Year*, 22 June 2022.

4. Describe how the land bank will dispose of property. Include any priorities for use of real property disposed of by the land bank.

Once a property is identified and removed from the tax rolls, the Land Bank's staff will advertise its acquisition and open a waitlist for interested residents in the geographically area that it is located within the county. Preference will be given to residents who previously sought homebuyer assistance with the Housing Assistance Program of Essex County (HAPEC). All residents on the waitlist will be preliminarily income and purchase-qualified to retain their place on the property's waitlist.

Next, The Land Bank, staffed by PRIDE of Ticonderoga, will begin the home rehabilitation process within the existing framework of its housing grant and construction programs. Throughout the rehabilitation or construction process, the Land Bank will review eligibility requirements, source of funds, project timeline, contractual obligations of all parties, property maintenance declaration filing, and compliance/monitoring throughout the regulatory period with waitlist applicants.

The Land Bank's staff will review and execute the scope of work, contracts, and draft a property maintenance declaration at the pre-construction meeting. Throughout the project's construction phase, the Land Bank will maintain regular contact with the interested applicants and contractors. In addition, our staff conducts periodic site visits to ensure all work is progressing unencumbered. We recognize that the continuum of care derives from multi-organizational collaboration to ensure that the new homeowners receive first-time homeownership counseling, tax advice, and referrals to other service providers so that they can meet their new mortgage obligations and maintain their property.

The Land Bank's "priority of work" policy is succinct and orderly. Priority is first given to addressing active health and safety concerns in the home, followed by NYS State and local code violations. The Land Bank will work closely with the local code enforcement officer in the given municipality to identify these issues. Next, the Land Bank staff will assess whether all major systems have a useful life of at least five years and develop a plan to address those that do not. Finally, if there is a special purpose need, like weatherization or energy efficiency, the Land Bank will include that in its overall scope to deliver a fully code-compliant unit upon completion.

The staff of the Land Bank regularly hires various contractors and consultants for their rehabilitation program. They currently retain Glenn Swajger for initial site assessments, work scope development, contract execution, project completion, and close-out. Century 21 Adirondacks is an MWBE, and their consultant Angela Brown currently creates comparable market reports for each of their HUD projects. Lastly, Flatley Reed has been procured to continue their energy audits, LBP, and Tier 2 risk assessments and is also a MWBE.

The Land Bank will consider several factors when procuring and selecting appropriate and qualified third party contractors. The Land Bank will employ the methodology that PRIDE has successfully employed for over 38 years. The Land Bank will ensure that it receives at least three bids for each project. It will actively promote appropriate bidding competition to ensure cost reasonableness. Prospective contractors must be aware of the intent and understand the Land Bank program, its guidelines, and its requirements. The Land Bank Staff will make a great effort to know the contractor's availability and ability to complete projects promptly, starting with an understanding of the contractor's experience and success in completing projects for similar programs. The Land Bank will issue a request for proposals and request for qualifications as part of the search for additional contractors and consultants, being mindful of the importance of MWBE entities. Once someone is chosen as a consultant, the Land Bank will draft and execute a contract and host an initial orientation meeting. Potential contractors are vetted to ensure they have relevant and successful experience in housing rehabilitation, provide proof of current liability and worker's compensation insurance, and be certified in lead-safe practices before they are considered eligible to be on the Land Bank's List of contractors for bidding purposes. For new contractors, we will

conduct frequent project on-site visits and maintain regular communications through email or phone. Payments are submitted for reimbursement only after the final site visit, all relevant parties sign off on the project completion, and the invoice is reviewed and approved for payment by the Land Bank.

At the time of each unit's final inspection, that property must meet NYS and local code requirements. A NYS certified Code Enforcement Officer performs this final inspection. The Land Bank will be furnished with all code-related documentation, including a signed/dated report from the Code Enforcement Officer certifying that the property meets NYS and Local codes. All documentation is then delivered to and approved by the Land Bank Board of Directors before project closeout.

All households receiving assistance are required to execute a written agreement with the Land Bank and will be consistent with HUD's requirements. Once the Land Bank project is completed and a waitlist applicant has committed to buying the Land Bank property, a written agreement will be executed between the homeowner and the Land Bank, including a Note and Mortgage which is the lien and security instrument. The written agreement is the formal and legally binding agreement between the Land Bank and the homeowner. The Land Bank will separately execute a rehabilitation or construction contract with our procured contractor, guaranteeing parity and delineating surety of the home rehabilitation project before any work on the Land Bank property begins

Once the Land Bank property is completed and given its final occupancy clearance, The Housing Assistance Program of Essex County, HAPEC, will assist the applicants on the Land Bank's waitlist in their respective numeral places. This assistance will be performed free-of-charge to the County. It will include performing the final income qualification of the applicant and assisting them with their first-time home buyer assistance program performed by their HUD-certified housing counselor. HAPEC often has funding through various programs to provide down payment, closing cost assistance, as well as options for non-traditional home loans through the State of New York Mortgage Agency (SONYMA). UPon completion of housing counseling HAPEC will notify the land bank about the applicant's suitability as a homebuyer and their purchasing power. The land bank will commit to sell to the applicant at an affordable sales price.

An additional contract, property maintenance declaration, and note and mortgage will be signed at the property's closing, between the Land Bank and homeowner, to ensure the home's period of affordability as well as restricting its resale to only income-qualified buyers in perpetuity.

The Land Bank will seek to provide a continuum of care service to all Land Bank homeowners. These services will include agency referrals for additional services such as emergency assistance, homeownership basics, and financial counseling.

5. Describe the geographic area in which the land bank will operate. Include whether the area is primarily urban, suburban, or rural.

Essex County is located entirely within the Adirondack Park. There are 18 towns in Essex County. The Village of Lake Placid (North Elba), Ticonderoga and Moriah represent our most densely populated areas while the remainder of the County is completely rural. Forestry and agricultural land dominate the remaining space. Essex County is home to 42 of the 46 Adirondack High Peaks with Lake Champlain bordering the east side of the County.

Part 3 – General Information - Use additional pages if necessary

Applicant Name | **ESSEX COUNTY**

Part 3 –C: Land bank organization and financing

1. Describe in detail how the land bank's activities will be funded. Include a description of all financial resources to be made available to the land bank, including any in-kind contributions.

- **Coronavirus State and Local Fiscal Recovery Funds (SLFRF)** - Essex County Government is a recipient of SLFRF from the US Department of the Treasury. Pending approval of a spending plan by the Essex County Board of Supervisors, an allocation of these funds shall be made to support the establishment of the Essex County Land Bank.
- **NYS Home Local Program Funding** through New York State Homes and Community Renewal (HCR)
- **Affordable Home Ownership Development Program** which is administered by the New York State Affordable Housing Corporation through the New York State Homes and Community Renewal's Office of Community Renewal.
- **HCR's Legacy City Access Program** - providing resources to take title to and renovate vacant properties, to create new opportunities to promote affordable homeownership for underserved families, particularly first-time homebuyers of color.
- **NYS HOME Local Program Small Rental Development Initiative (SRDI)** - funding to expand the supply of decent, safe and affordable housing throughout the State of New York.
- **RESTORE NY** funding
- **Governor Hochul-proposed EmPower Plus Program** as presented in the 2023 SOTS which will help 20,000 low-income families retrofit their homes by adding insulation, installing energy-efficient appliances, and where eligible, switching to electric heating systems.
- From the 2023 SOTS, accessing the \$250 million fund to aid critical infrastructure projects triggered by plans for increased housing to help achieve the new home targets.
- **Adirondack Community Housing Trust (ACHT):** Some land bank property may be added to ACHT to lock in permanent affordability. ACHT can subsidize the purchase through downpayment, closing costs and reduction of principal.
- Additional state and federal grants not yet known.
- **§1610 (b):** A land bank may receive and retain payments for services rendered, for rents and leasehold payments received, for consideration for disposal of real and personal property, for proceeds of insurance coverage for losses incurred, for income from investments ...
- On-going Essex County financial support through budgeted funds.
- **Consideration of the use of back taxes owed to the County** once a property is transferred to a qualified owner.

- Additional grants are also available for the Land Bank to apply for in order to directly assist homeowners with down payment assistance through the Office of Homes and Community Renewal.

2. Explain how the land bank will be staffed.

The Land Bank will be staffed by Nicole Justice Green as its Executive Director. Jeanene Wilson will serve as its Housing Program Specialist. Glenn Swajger will serve as its Building Inspector with an additional Continuum of Care Administrator and Full-Time Accountant to be hired in January 2023.

3. Describe the nature and extent of the authorization for sharing of future property tax revenues?

According to §1610 (c) of the New York State Land Bank Act:

Upon the adoption of a local law fifty percent of the real property taxes collected on any specific parcel of real property identified by ... any taxing jurisdiction may be remitted to the land bank, in accordance with procedures established by regulations promulgated by the department of taxation and finance. Such allocation of real property tax revenue shall commence within the first taxable year following the date of conveyance and shall continue for a period of five years.⁴

⁴ The Essex County Board of Supervisors has not yet approved this measure They are aware that it exists, but it is not yet ratified. This will be debated in time.



Essex County Board of Supervisors

Resolution No. 62

March 6, 2023
Regular Board Meeting

RESOLUTION AUTHORIZING FOR SUBMISSION OF AN APPLICATION TO ESTABLISH A LAND BANK CORPORATION IN ESSEX COUNTY

The following resolution was offered by Supervisor Hughes, who moved its adoption.

Upon the recommendation of the Finance Committee, with the approval of the Ways and Means Committee of this Body, and the same appearing proper and necessary;

WHEREAS, in 2011, the New York State Legislature enacted a new Article 16 of the Not-for-Profit Corporation Law authorizing the creation of land bank corporations to combat community deterioration by facilitating the return of vacant, abandoned, and tax-delinquent properties to productive use in order to eliminate the harms and liabilities caused by such properties; and

WHEREAS, by virtue of State law and local legislation, the County of Essex guarantees the tax collection of all town, village and school taxes within the County of Essex and acts as the sole foreclosing governmental unit for all local governments within the County, thereby making the County an ideal candidate for approval of a single county-wide land bank corporation; and

WHEREAS, the County of Essex is preparing an application to Empire State Development (ESD) for approval of a land bank corporation in Essex County, and to be considered for approval, the Essex County Board of Supervisors must adopt a resolution approving the establishment of a land bank.

NOW, THEREFORE, BE IT RESOLVED, that the Essex County Board of Supervisors hereby establishes and authorizes the formation and corporation of a land bank in Essex County, as follows:

1. The name of the land bank is the "Essex County Land Bank Corporation".
2. The number of Board of Directors shall be an odd number of no less than five, but no more than eleven directors, with the exact number of Directors to be established by a resolution adopted by the Members.
3. The initial Board of Supervisors Members to serve as members of the Essex County Land Bank Board of Directors are:

Mark Wright, Supervisor ex officio
James Monty, Supervisor ex officio

This resolution was duly seconded by Supervisor Monty, and adopted upon a roll-call vote, as follows:

AYES: 2652 votes
NOES: 0 votes
ABSENT: 201 votes (Stanley)

STATE OF NEW YORK, COUNTY OF ESSEX)ss:

I, JUDITH A. GARRISON, Clerk of the Essex County Board of Supervisors, do hereby certify that I have compared the foregoing copy with the original resolution filed in this office on the 6th day of March, 2023, and that it is a correct and true copy thereof.

IN TESTIMONY THEREOF, I have hereunto set my hand and affixed my official seal this 6th day of March, 2023.



Judith A. Garrison
Judith A. Garrison
Clerk of the Essex County Board of Supervisors