

Resolution 18-15

Finger Lakes Regional Land Bank Corporation Board of Directors

Moved by *Nick Sciotti, Gary Westfall*

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH SENECA COUNTY FOR LAND-BANKING SERVICES FOR REMAINDER OF 2018 AS WELL AS 2019-2020

WHEREAS, Seneca County (the "County") has agreed to provide professional services to the Finger Lakes Regional Land Bank Corporation (the "Land Bank") for the purpose of furthering the land banking mission of the Land Bank to engage in various community development and revitalization activities, including the acquisition of vacant tax delinquent properties and returning them to productive use; and

WHEREAS, the agreement specifies the professional services to be provided by the County to the Land Bank which will be primarily staff time, and is attached to this resolution as Appendix "A"; and

WHEREAS, the agreement period is July 23rd, 2018 through December 31, 2020, and must be reviewed thereafter; now, therefore be it

NOW, THEREFORE, BE IT RESOLVED, by the Corporation that the CEO/President is hereby authorized and directed to edit as necessary as well as sign any, and all documents necessary to execute a professional services agreement attached to this resolution as Appendix "A" with the Seneca County for community development and revitalization activities, including the acquisition of vacant tax delinquent properties and returning them to productive use.

I, Jill Henry, Secretary of the Finger Lakes Regional Land Bank Corporation, a corporation organized and existing under the laws of the State of New York (the "Corporation"), do hereby certify that the above is a true and correct copy of a resolution duly adopted at a meeting of the Board of Directors of the Corporation duly held and convened on July 23rd, 2018, at which meeting a duly constituted quorum of the Board of Directors was present and acting throughout, and that such resolution has not been modified, rescinded, or revoked, and is at present in full force and effect.

IN WITNESS THEREOF, the undersigned has affixed her signature this 24 day of July, 2018. The Corporation has no corporate seal.

x 
Jill Henry
Its Secretary

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Moved by Nick Sciotti and seconded by Gary Westfall

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH SENECA COUNTY FOR LAND-BANKING SERVICES FOR REMAINDER OF 2018 AS WELL AS 2019-2020

	Yes	Nay	Abstain	Absent
Cindy Garlick-Lorenzetti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert Hayssen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jill Henry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Greg Lazzaro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Ledgerwood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nick Sciotti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gary Westfall	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion passed.

Schedule A

Memorandum of Agreement

Seneca County, NY & Finger Lakes Regional Land Bank Corp.

SECTION 1. COUNTY RESPONSIBILITIES.

- A. **LEGAL SERVICES.** The County Attorney, at the request of the Executive Director of the Land Bank, and subject to the discretion of the County Attorney and the prioritization of such requests by the County Attorney, shall, during the term of this Agreement, provide legal counsel for the Land Bank, the Executive Director, and the Board of the Land Bank, including without limitation, legal services for purchase and sale of any real property, preparation of contracts, advice to the Board of Directors and the Executive Director, defense of litigation brought against the Land Bank, and eviction services of parcels acquired by the Land Bank, and representation in all courts of the State of New York and the United States, without charge to the Land Bank. The Land Bank waives any conflict of interest in representation by the County Attorney.
- B. **ADMINISTRATIVE STAFF.** The County will provide for all administrative functions necessary for the Land Bank in connection with all matters to conduct business.
 - 1. Seneca County will dedicate staff time for the Land Bank's CEO/PRESIDENT from the Planner position.
 - 2. Other staff within the Dept. of Planning and Community Development will carry out Land Bank responsibilities and duties as assigned by the Director or Deputy Director of Planning and Community Development without charge.
- C. **DEPARTMENT COORDINATION.** To provide in a timely manner information on foreclosure actions brought by the County upon real property within the County's geographic area. The Department of Real Property Tax Services at the County Manager's direction will
 - 1. Provide the Land Bank a detailed listing of all properties mailed statutory notices of interim foreclosure for tax delinquency, including property tax parcel number, parcel address, and the amount of taxes owed.
 - 2. Within 3 Days of the end of 90-day redemption period, the County will provide the Land Bank an updated list of the properties remaining delinquent and scheduled for foreclosure using the same format.
 - 3. At the County Manager's discretion, the Department of Real Property Tax Services will also coordinate with the Department of Planning and Community Development on research and preparation of grants for the Land Bank and broader vacancy and abandonment concerns within Seneca County.
- D. **OFFICE SPACE.** The County shall permit the Land Bank to use office space, telephone services, photocopying, and other general office amenities (supplies, equipment, etc.) without charge to the Land Bank.
- E. **GENERAL LIABILITY INSURANCE.** The Land Bank shall carry a Commercial General Liability policy with limits of at least \$1 million per occurrence and/or \$2 million general aggregate combined limit that lists Seneca County as an additional insured. Seneca County shall list the Land Bank as

an additional named insured on its General Liability and Public Officials policies. The FLRLBC policies shall be primary for any loss arising out of the FLRLBC's activities.

SECTION 2. LAND BANK RESPONSIBILITIES.

- A. **LAND BANKING SERVICES.** The purpose of the Land Bank is to improve blighted and abandoned properties to increase surrounding property values, stabilize the tax base, and improve quality of life for County residents. The Land Bank will conduct various neighborhood revitalization services including the promotion of safe, decent, and affordable housing within Seneca County. The Land Bank will facilitate the return of vacant, abandoned and environmentally-challenged properties to productive use and foster economic development within Seneca County. The Land Bank will target select distressed and tax-delinquent properties within the County and work to develop active and tax-producing uses consistent with the comprehensive plans of the various towns and villages.
- B. **ADMINISTRATIVE STAFF.** The Land Bank will provide the difference in salary between the Planner position and the total salary for the CEO/PRESIDENT.
- C. The Land Bank shall comply with, and shall cause all of its employees, agents and contractors to comply with, all applicable Environmental Laws and shall obtain and comply with, and shall cause all of its employees agents and contractors to obtain and comply with all Environmental Permits.
- D. The Land Bank agrees at all times, after prior notice, to allow the County and its employees, agents and contractors reasonable access to any Property for the purposes of ascertaining site conditions, including, without limitation, subsurface conditions.

SECTION 3. TERM.

This Agreement shall be for the remainder of calendar year 2018 and last for a period of two years thereafter commencing on January 1, 2019 and extending through December 31st, 2020. This agreement will sunset at the expiration date and cease to be in effect in the year 2021. At which point, The Seneca County Board of Supervisors and the Board of Directors of the Finger Lakes Regional Land Bank Corp. will evaluate the land banking project and determine the proper path forward in pursuit of increasing self-sufficiency within the corporation.

SECTION 4. COMPLIANCE WITH LAWS.

In connection with the services to be performed under this Agreement, the parties and each of their officers, agents and employees shall comply with all federal, state and local laws, resolutions, ordinances, codes, rules and regulations applicable to the performance of the services to be rendered hereunder.

SECTION 5. EXTENT OF AGREEMENT.

This Agreement constitutes the entire and integrated agreement between and among the parties hereto and supersedes any and all prior negotiations, agreements and conditions, whether written or oral.

SECTION 6. APPROVALS.

APPROVAL BY SENECA COUNTY BOARD OF SUPERVISORS – This Agreement was authorized by adoption of Resolution 154-18 on July 10th, 2018

APPROVAL BY THE FINGER LAKES REGIONAL LAND BANK CORPORATION BOARD OF DIRECTORS – This Agreement was authorized by adoption of Resolution XXX-18 on DATE

Name: John Sheppard

Title: Seneca County Manager

Date July X, 2018

Name: Joseph McGrath

Title: CEO/President FLRLBC

Date July X, 2018