

Resolution 24-15

Finger Lakes Regional Land Bank Corporation

Moved by Joe Borst, Ernie Brownell

RESOLUTION TO ADOPT UPDATED ACQUISITION POLICY

WHEREAS, the FLRLBC is a not-for-profit corporation duly organized and validly existing under the laws of the State of New York; and

WHEREAS, the FLRLBC desires to update its Real Property Acquisition Policy to assist in the implementation of its stated purposes and in compliance with the New York Not-For-Profit Corporation Law, the New York Public Authorities Accountability Act of 2005 and the New York Public Authorities Reform Act of 2009, as amended; and

WHEREAS, the Governance Committee of the FLRLBC has voted to recommend adoption of the updated policy in the form presented at the Meeting and as shown on Appendix A.

NOW, THEREFORE BE IT RESOLVED, by the Finger Lakes Regional Land Bank Corporation as follows:

1. The FLRLBC hereby updates the Real Property Acquisition Policy in the form presented at the Meeting and as shown on Appendix A:

I, Amanda Forney, 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 March 26th, 2024, 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quorum of the Board of Directors was present and acting throughout, and that such resolution has not been modified, rescinded, or revoked, and is at present in full force and effect.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 their signature this 26 day of March, 2024. The Corporation has no corporate seal.

X Amanda Forney

Amanda Forney, Acting
Secretary

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	Yes	Nay	Abstain	Absent
Joe Borst	[✓]	[]	[]	[]
Ernie Brownell	[✓]	[]	[]	[]
Jill Henry	[✓]	[]	[]	[]
Les Marquart	[✓]	[]	[]	[]
Don Northrup	[]	[]	[]	[x]
Frank Sinicropi	[x]	[]	[]	[]
David Wood	[✓]	[]	[]	[]

APPENDIX A

Adopted August 9, 2016

Most Recently Readopted March 26, 2024

FINGER LAKES REGIONAL LAND BANK CORPORATION REAL PROPERTY ACQUISITION POLICY

OVERVIEW

The primary focus of the Finger Lakes Regional Land Bank Corporation's ("Land Bank's") operations is the acquisition of real property that is tax delinquent, tax foreclosed, vacant, or abandoned.

This Policy specifies the guiding criteria for acquisition of property by the Land Bank. The Land Bank primarily intends to use this policy to guide its acquisition of real property in the County of Seneca; however, the Land Bank may also acquire property located within the jurisdiction of another municipality if the Land Bank has entered into an intergovernmental cooperation with that municipality.

Pursuant to New York State Law, and the Land Bank's by-laws, the final determination to acquire any real property will be made by a majority vote of the Board of Directors of the Land Bank. The Land Bank will maintain an inventory of all property acquired. This inventory will be publicly available within one week of acquisition and within one week of disposition.

DEFINITIONS

"Acquisition" means that the Land Bank will acquire real property or interests in real property by gift, devise, transfer, exchange, foreclosure, purchase, or otherwise, on terms and conditions and in the manner the Land Bank considers property.

"Real Property" means lands, land under water, structures and any and all easements, air rights, franchises and incorporeal hereditaments and every estate and right therein, legal and equitable, including terms for years and liens by way of judgment, mortgage or otherwise, and any and all fixtures and improvements located thereon. Under New York State Law, the real property of a land bank and its income and operations are exempt from all taxation by the state of New York and by any of its political subdivisions.

GUIDING CRITERIA

All potential real property acquisitions will be evaluated using the following set of guiding criteria:

- Properties that support the mission of the Land Bank.

- Proximity to other real property owned by the Land Bank or other development activities.
- Proposals and requests by governmental, nonprofit and for-profit entities that identify specific properties for ultimate acquisition and redevelopment, which:
 - a) act as catalyst for further development;
 - b) are part of a neighborhood, comprehensive or development plans;
 - c) support infrastructure, public and green space development; or
 - d) reduce blight in the community. In particular, acquisition will be prioritized where the land bank participation is necessary to complete the redevelopment. In the case of municipal involvement, inter-local agreements (if required for development or maintenance) must be in place prior to acquisition.
- Properties that are available for immediate rehab opportunities without need for substantial rehabilitation.
- Properties located in reinvestment areas that would support strategic neighborhood stabilization, neighborhood plans, development plans and comprehensive plans.
- Properties that meet the criteria for demolition, and such demolition will support blight elimination and neighborhood revitalization plans. This activity is contingent upon the funding available for the Land Bank to facilitate demolition.
- Properties that would form a part of a land assemblage development plan by either the land bank or partnering entities. (e.g. land banking)
- Vacant, non-conforming, or undevelopable properties that could be placed into a side lot, green space or parking lot Disposition Program or support a planned development.
- Properties that may generate operating income for the functions of the Land Bank.
- If requested, the cost of a full title search, and Phase I environmental assessment is the responsibility of the current property owner. If the property appears to be of strategic importance to the Land Bank and the current property owner demonstrates financial hardship and inability to pay for the title search or Phase I assessment, the Land Bank may agree to bear this cost.
- The Land Bank must be aware of any and all financial liabilities. All financial liabilities will be reviewed and a plan to remediate the financial liabilities. The financial liabilities may include, but not limited to the following items:
 - Any defects in title and ability to obtain title insurance
 - Condition and market value of the property
 - Cost to remediate any hazards or nuisances posed by the property
 - Cost to fully redevelop the property
- The Land Bank must be aware of any environmental conditions. A Phase I environmental assessment may be required depending on the type and location of the property. If any adverse conditions are determined, a remediation plan with secured funding must be in place.

- Properties for which title issues are preventing the property from being developed to its highest and best use.
- Properties that have a designated end use in place prior to acquisition.
- Any exception to the policies governing acquisition shall be taken to the governing body of the Land Bank for approval.
- Properties that have significant historic value and that the cost to rehab is not cost prohibitive.
- Properties that are municipal-owned and/or near schools, senior centers, community centers or high visible areas that may pose safety issues to the community.

The policy will be effective immediately upon adoption by resolution of the Board. The Board retains the right to modify this policy at any time. This policy may also be modified as necessary to comply with the law, or to reflect new programs implemented by the Land Bank.

Tax Exempt Notification Upon Acquisition

The Land Bank upon acquiring any property from tax foreclosure, private sale, donation, or otherwise shall notify the following by formal letter of its tax exempt status:

Town Assessor
Town Tax Collector
Town Supervisor
Sewer and Water Districts
Seneca County Director of Real Property
Seneca County Manager
Seneca County Treasurer