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**RESOLUTION ESTABLISHING AND AUTHORIZING THE CREATION OF THE GREATER MOHAWK VALLEY LAND BANK CORPORATION AND CONFIRMING THE APPOINTMENT OF THE COUNTY EXECUTIVE FOR A REPRESENTATIVE TO SERVE ON GREATER MOHAWK VALLEY LAND BANK BOARD (LEGISLATURE)**

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**Resolution by Legislator:** Weitz

**Seconded by:** Wheeler

**WHEREAS**, New York State has recognized the need to provide new tools and innovative solutions to address deteriorated, abandoned and tax-delinquent properties and the blight they inflict upon communities; and

**WHEREAS**, New York State acknowledges the risks to public health and safety caused by seriously derelict properties; and

**WHEREAS**, land banks allow and provide a mechanism for the re-development, repair, improvement, or in appropriate situations, deconstruction of blighted properties; and

**WHEREAS**, land banks have now been firmly established nationally, with a success record in helping to ameliorate the above negative impacts; and

**WHEREAS**, in recognition of same and in order to revitalize and strengthen local communities and economies New York State has adopted a Land Bank Act ("Not-for-Profit" Corporation Law, Article 16); and

**WHEREAS**, a number of communities in the Greater Mohawk Valley with the direction and encouragement of the Mohawk Valley Economic Development District ("MVEDD"), desire to create a regional land bank in order to efficiently and effectively address blight across the Greater Mohawk Valley; and

**WHEREAS**, in accordance with the provisions of the Land Bank Act, it is necessary to adopt a resolution establishing the Greater Mohawk Valley Land Bank Corporation ("GMVLB") on behalf of Montgomery County and the other signatories, and addressing certain other requirements relating to the structure and function of the GMVLB; therefore it is

**RESOLVED**, that Montgomery County hereby establishes and authorizes the creation of a regional land bank, as follows:

1. Name of the land bank: Greater Mohawk Valley Land Bank Corporation;
2. Number of initial members of the board of directors: 9
3. The initial individuals to serve on the GMVLB board and their initial terms of office are:

**Appointed by the Chairman of the Legislature, confirmed by the Herkimer County Legislature:**

Raymond Johnson (County Legislator), initial term of 2-years;  
Kurt Ackerman (County Legislator), initial term of 1-year;

**Appointed by the County Executive of Montgomery County and confirmed by the Montgomery County Legislature:**

Karl Gustafson initial term of 2-years;

**Appointed by Chairman of the Board of Representatives of Otsego County, confirmed by Resolution of the Board:**

Margaret M. Kennedy (County Representative), initial term of 2-years;  
Craig Gelbsman (County Representative), initial term of 1-year;

**Appointed by Chairman of the Board of Supervisors, confirmed by Resolution of the Board of Schoharie County:**

Steven Wilson (County Administrator), initial term of 2-years;

**Appointed by the Mayor of the City of Rome:**

Mark Domenico (Chief Code Enforcement Officer), initial term of 1-year;

**Appointed by the Mayor of the City of Utica:**

Brian Thomas (Commissioner, Urban & Economic Development); initial term of 2-years;

**Appointed by the Common Council of the City of Utica:**

Joseph A. Marino (Chair, Economic Development Committee), initial term of 1-year;

4. Board members must be a resident of the county or city from which they are appointed. Each of the joining counties and the joining cities will be entitled to have the number of members on the board of directors as listed above. The regular terms of office of members of the board shall be 2 years, in addition to any partial term for which a member is appointed to fill a vacancy.
5. The proposed Articles of Incorporation of the GMVLB, which are attached hereto and made part hereof, are approved for inclusion in the application for the GMVLB which is to be sent to Empire State Development.
6. Montgomery County (together with the other joining counties and cities) will enter into and the Montgomery County Executive is authorized to execute an Intermunicipal Agreement, attached hereto and made a part hereof, for the creation of GMVLB.
7. The Montgomery County Executive is authorized to execute such other documents as may be necessary to establish the GMVLB, subject to the approval of the Montgomery County Legislature

**MOTION TO AMEND** by Legislator Kelly, seconded by Legislator Weitz, to add a resolved clause as follows:

**RESOLVED**, the appointment of Karl Gustafson as initial member to GMVLB land bank board for a term of 2 years is hereby confirmed by the Montgomery County Legislature.

passed with Aye(9).(10/4/2016)

**RESOLUTION VOTE**, passed with Aye(8). Legislator Isabel abstained. (10/4/2016)

**Statement of Legislative and Financial Impact:**

*I. Nature of Request:*

THE ESTABLISHMENT OF THE GREATER MOHAWK VALLEY LAND BANK CORPORATION AND APPOINTING REPRESENTATIVE TO SERVE ON GREATER MOHAWK VALLEY LAND BANK BOARD

*II. Justification:*

Resolution to establish the Greater Mohawk Valley Land Bank Corporation.

*III. Legislative Impact:*

Pursuant to Article 2 of the Charter the Montgomery County Legislature is the policy making body of the County. Pursuant to Article 3 of the Charter the Montgomery County Executive has the authority to enter into contracts.

*IV. Financial Impact:*

TBD

cc: County Clerk  
County Treasurer

**Voting Record**

Kelly	(R)	Yes
Quackenbush	(D)	Yes
Dimond	(D)	Yes
Weitz	(L)	Yes
Bieniek	(D)	Yes
Duchessi	(D)	Yes

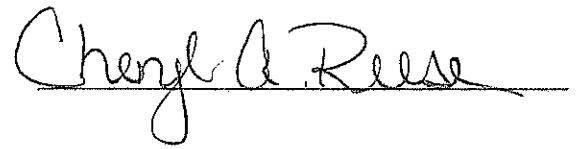
**STATE OF NEW YORK County of Montgomery ss.:**

This is to certify that I, the Undersigned, Clerk Of The Montgomery County Legislature, have compared the foregoing copy of resolution with the original resolution now on file in the office, and which was passed by the Montgomery County Legislature on the 4th day of October, 2016, a majority of all the members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have set my hand and the official seal of the Montgomery County Legislature this 11th day of October, 2016

Wheeler (R) Yes  
isabel (D) Abstained  
Purtell (D) Yes

Totals: Aye: 8  
Nay: 0  
Abstained: 1  
Absent: 0



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**This resolution was approved by the County Executive and was enacted on 10/10/2016**