

OFFICE OF THE  
DEMOCRATIC MINORITY



196-15  
LC  
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MINORITY COUNSEL

NASSAU COUNTY LEGISLATURE  
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### Inter-Departmental Memo

To: Mr. William Muller III, Clerk of the Legislature  
From: Peter J. Clines, Esq., Minority Counsel *PJC*  
CC: Hon. Norma Gonsalves, Presiding Officer  
Hon. Kevan Abrahams, Minority Leader  
Date: May 6, 2015

Re: A LOCAL LAW AMENDING CHAPTER XVI OF CHAPTER 272 OF THE LAWS OF 1939,  
CONSTITUTING THE NASSAU COUNTY ADMINISTRATIVE CODE IN RELATION TO  
ESTABLISHING THE NASSAU COUNTY LAND BANK CORPORATION

Attached please find the above referenced proposed local law which has been approved as to form per the Rules of the Legislature. Kindly distribute a copy to Presiding Officer Norma Gonsalves along with our request that this item be placed on the next available legislative agenda.

Kindly provide a time stamped hard copy acknowledgement of your receipt.

Thank you.

RECEIVED  
NASSAU COUNTY  
LEGISLATURE  
CLERK OF THE LEGISLATURE  
2015 MAY -6 P 4 37

Introduced by: Legislators Stela Bynoe and Laura Curran

Co-sponsored by: Minority Leader Kevan Abrahams, Legislators Judy Jacobs, Carrie Solages, and Delia DeRiggi-Whitton.

**PROPOSED LOCAL LAW NO. -2015**

A LOCAL LAW AMENDING CHAPTER XVI  
OF CHAPTER 272 OF THE LAWS OF 1939,  
CONSTITUTING THE NASSAU COUNTY  
ADMINISTRATIVE CODE IN RELATION TO  
ESTABLISHING THE NASSAU COUNTY  
LAND BANK CORPORATION

  
**PETER J. CLINES MINORITY COUNSEL**

**APPROVED AS TO FORM**

**RECEIVED  
NASSAU COUNTY  
CLERK OF THE BOARD OF COUNTY COMMISSIONERS  
2015 MAY -6 P 4:39**

BE IT ENACTED by the County Legislature of the County of Nassau as follows:

Section 1. Chapter XVI of Chapter 272 of the Laws of 1939, constituting the Nassau County Administrative Code is amended to establish Title C, to read as follows:

## Title C

### The Nassau County Land Bank Corporation

#### § 16-3.0 Legislative Intent.

The Legislature hereby finds and declares that the rapidly mounting problem of vacant and abandoned homes -- generally known as "zombie properties" -- has reached crisis proportions in Nassau County. The Legislature determines that such zombie properties pose a grave threat to Nassau's quality of life and economic well-being and that it is imperative that effective action be taken on the County-level to address this threat. The Legislature further finds that the establishment of a Nassau County Land Bank is a critically important step to alleviate the problem of zombie properties, by providing a means to acquire, renovate and rehabilitate such properties and return them to productive use, as further described below.

Many localities within Nassau County face a public crisis created by such zombie properties. In the wake of the subprime mortgage collapse, and as a result of predatory lending practices and a prolonged downturn in the economy, a substantial number of homeowners have been unable to keep up with their mortgage payments. Others have found themselves burdened by so-called "underwater mortgages", where the homeowners owe more to their mortgage bank than their home is worth. As a result, such homeowners frequently cease paying their mortgages. Consequently, many such distressed properties are mired in slow-moving foreclosure proceedings. Under these circumstances, homeowners will often simply abandon their homes before the foreclosure process has concluded.

The Legislature recognizes that such zombie properties exist in a kind of limbo where the owners are unable or unwilling to maintain them and the banks holding the mortgages have no legal obligation to do so. Such homes rapidly fall into disrepair and become dangerous, derelict and unsightly. Lawns and foliage become overgrown. Broken windows, roofs, and doors are not repaired or replaced. Paint and siding are permitted to deteriorate. Such abandoned also frequently become infested with vermin and insects and can pose a significant health hazard to the surrounding neighborhood.

More importantly, these vacant homes are a major security concern. They become a magnet for dangerous and unlawful activity such as vandalism, drug abuse and underage drinking.

Long Island, including Nassau County, has been called by the New York State Attorney General an "epicenter" of the zombie property problem. Press reports have characterized the problem as an "epidemic of blighted, abandoned houses." The blight caused by such zombie properties undermines the very fabric of the communities in which they exist. They result in increased crime and depressed home values and destabilize long-standing communities. Although the problem is not limited to any one geographic area or demographic, minority communities have been especially hard hit by the crisis.

Moreover, the Legislature finds that the burden of attempting to address the zombie property problem has heretofore fallen exclusively on already fiscally-overstretched municipalities such as town, villages and cities. In the judgment of the Legislature, such municipalities do not have the resources necessary to police, secure and maintain every vacant or abandoned property or to identify and commence legal proceedings against persons who are unwilling or unable to meet their obligations as property owners. In addition, municipalities currently do not possess the legal authority to compel mortgage

lenders to secure and maintain zombie properties during the foreclosure process. Municipalities are therefore unable to bear this burden without assistance.

The Legislature finds that one means of addressing the zombie property issue is the establishment of a County land bank. This Legislature further finds that Article 16 of the New York Not-For-Profit Corporation Law authorizes a municipality that is deemed a "foreclosing governmental unit," such as Nassau County, to create a land bank, through local law, incorporation, and application to the New York State Empire State Development Corporation, for the purpose of acquiring real property that is tax delinquent; tax foreclosed; vacant; or abandoned in order to design; develop; construct; demolish; reconstruct; rehabilitate; renovate; relocate; and otherwise improve upon banked real property.

The Legislature recognizes that land banks are one of the most important tools that can be employed to assist in preserving and revitalizing communities and invigorating the Nassau County economy by returning vacant, abandoned, and tax-delinquent properties to productive use.

Accordingly, the purpose of this law is to establish the "Nassau County Land Bank Corporation."

§ 16-3.1 Creation of the Nassau County Land Bank Corporation.

- a. The County Executive and/or his designee(s) are hereby authorized, empowered and directed to take all steps necessary to create and cause the incorporation of the not-for-profit "Nassau County Land Bank Corporation" pursuant to Article 16 of the New York State Not-For-Profit Corporation Law, including submission of all applicable documentation for application to the New York State Empire State Development Corporation.
- b. The Nassau County Land Bank Corporation shall be created for the purposes and

shall exercise and perform the powers set forth herein in accordance with the provisions of the Certificate of Incorporation, the by-laws and Article 16 of the New York State Not-For-Profit Corporation Law.

- c. Properties and/or tax liens shall only be transferred to the Nassau County Land Bank Corporation via duly adopted resolution of the Nassau County Legislature.
- d. All actions of the Nassau County Land Bank Corporation require approval by two-thirds (2/3) vote of its membership.
- e. Any borrowing or bonding by the Nassau County Land bank Corporation shall be for capital purposes only; borrowing or bonding shall not be authorized for operating expenses. Approval of borrowing or bonding by the Nassau County Land Bank Corporation shall require a unanimous vote of all Directors.
- f. The Nassau County Land Bank Corporation shall contract in writing with Nassau County for all of its operating expenses, including but not limited to personnel, overhead, supplies and equipment and such contract shall include terms for repayment of all expenses.
- g. Funds received by the Nassau County Land bank Corporation shall be remitted to the County to reimburse the County for:
  1. start-up costs;
  2. the balance of any tax lien transferred to the Nassau County Land Bank Corporation for less than the full amount of the lien, including any interested penalties, which interest and penalties shall continue to accrue on each lien until paid in full;
  3. the difference between the value of any property transferred to the Nassau County Land Bank Corporation for less than the full amount of the value of the property, including any charges and assessments;
  4. the cost of any County personnel, overhead, supplies and equipment assigned to the Nassau County Land Bank Corporation

pursuant to subsection f of this section.

§ 16-3.2 Board of Directors.

a. The initial Board of Directors (the "Board") of the Corporation shall consist of seven members as follows:

1. Howard Kopel, Nassau County Legislator
2. Laura Curran, Nassau County Legislator
3. Denise Ford, Nassau County Legislator
4. Siela Bynoe, Nassau County Legislator
5. Satish Sood, Deputy Commissioner, Nassau County Department of Public Works, Planning Division
6. Wayne Hail, Mayor, Village of Hempstead
7. Karen Montalbano, President, Baldwin Civic Association.

b. Members of the Board shall serve staggered terms. Of the initial members appointed:

- i. two shall be appointed for one-year;
- ii. three shall be appointed for two-years; and
- iii. two shall be appointed for three-years.

Thereafter, each member shall serve a term of three years.

c. Notwithstanding the foregoing, members shall be appointed as follows:

1. One Director shall be selected by the Presiding Officer of Nassau County Legislature (hereinafter the "Legislature") from the majority delegation to the Legislature's Towns, Villages and Cities Committee, with the approval of the Nassau County Legislature. This shall initially be a two-year term, and will be filled by Howard Kopel.
2. One Director shall be selected by the Minority Leader of the Legislature, from the minority delegation to the Legislature's Towns, Villages and Cities Committee, with the approval of the Legislature. This

shall initially be a two-year term and will be filled by Laura Curran.

3. One Director shall be selected by the Presiding Officer of the Legislature from the majority delegation to the Legislature's Economic and Community Development and Labor Committee, with the approval of the Nassau County Legislature. This shall initially be a three-year term, and will be filled by Denise Ford.

4. One Director shall be selected by the Minority Leader of the Legislature from the minority delegation to the Legislature's Economic and Community Development and Labor Committee, with the approval of the Nassau County Legislature. This shall initially be a three-year term, and will be filled by Siela Bynce.

5. One Director shall be the Nassau County Deputy Commissioner of the Department of Public Works, Planning Division. This shall be initially a two year term and will be filled by Satish Sood.

6. One Director shall be the chief elected official, or his or her designee, from the municipality in Nassau County which is most severely affected by the zombie housing crisis, based on which municipality has the largest percentage of vacant or abandoned residential properties in proportion to the total number of residential properties in that municipality, based on the latest data available in a vacant or abandoned property registry maintained by the New York State Attorney General, or, in the absence of such an Attorney General registry, in a registry maintained by the County of Nassau or based on other appropriate data. This shall initially be a one-year term and will be filled by Mayor Wayne Hall of the Village of Hempstead.

7. One Director shall be a representative of a not-for-profit organization dedicated to promoting affordable, sustainable housing.



economic and community development or environmental protection, or a civic association, operating in Nassau County, selected by the Nassau County Legislator whose legislative district encompasses localities most severely impacted by abandoned or vacant properties, as determined by the criteria set forth in subsection c (6) of this section. This shall initially be a one-year term, and will be filed by Karen Montalbano, President, Baldwin Civic Association.

**§ 16-3.3 Priorities for the Use of Land Bank Real Property.**

a. Pursuant to New York State Not-for-Profit Corporation Section 1609(e), Nassau County hereby establishes the following hierarchy of priorities for the use of real property conveyed by the Nassau County Land Bank:

1. Use for affordable housing;
2. Use for purely public spaces;
3. Use for retail, commercial and industrial activities;
4. Use as wildlife conservation areas.

**§ 16-3.4 Articles of Incorporation.**

The Certificate of incorporation of the Nassau County Land Bank Corporation, in substantially the same form as attached hereto, shall be filed with the New York State Department of State upon approval by the New York Empire State Development Corporation of the application for the creation of the Corporation.

**§ 16-3.5 Applicability.**

This law shall apply to any actions occurring on or after the effective date of this law.

§ 16-3.6 Severability.

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not effect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 2. **SEQRA Determination.** This legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this action is an unlisted action under the provisions of Title 6 NYCRR Part 617, and that based on an evaluation of the environmental criteria set forth in §617.7(c) that are considered to be indicia of significant adverse environmental impacts, along with the recommendation of the Nassau County Planning Commission acting in its advisory capacity to the legislature, that such action will not have significant adverse impacts on the environment, and that no additional environmental review or action is necessary.

Section 3. **Effective date.** This local law shall become effective upon filing in the Office of the Secretary of State.

CERTIFICATE OF INCORPORATION  
OF

The Nassau County Land Bank Corporation  
*(Corporation Name)*

Under Section 402 of the Not-for-Profit Corporation Law

FIRST: The name of the corporation is:  
The Nassau County Land Bank Corporation

SECOND: The corporation is a corporation as defined in subparagraph (5) of paragraph (a) of Section 102 of the Not-for-Profit Corporation Law.

THIRD: *(Select one)*

- The purpose for which the corporation is formed is any purpose for which corporations may be organized under the Not-for-Profit Corporation Law as a charitable corporation.
- The purpose for which the corporation is formed is any purpose for which corporations may be organized under the Not-for-Profit Corporation Law as a non-charitable corporation.
- The purpose or purposes for which the corporation is formed are as follows:  
To acquire, hold, remediate, rehabilitate, renovate, rent, lease, sell, donate and otherwise manage available properties and/or tax liens associated with such properties in Nassau County, New York; to make and perform agreements with the County of Nassau and other municipalities, taxing jurisdictions and districts as well as individuals and business entities; to spend, invest, manage and disburse funds coming into its possession; and to engage all lawful activities permitted by Article 16 of the Not-For-Profit Corporation Law (the Land Bank Act) or otherwise permitted.

FOURTH: *(Check the appropriate statement)*

The corporation is not formed to engage in any activity or for any purpose requiring consent or approval of any state official, department, board, agency or other body. No consent or approval is required.

The corporation is formed to engage in an activity or for a purpose requiring consent or approval of a state official, department, board, agency or other body. Such consent or approval is attached.

FIFTH: The corporation is a:  charitable corporation  non-charitable corporation  
under Section 201 of the Not-for-Profit Corporation Law.

SIXTH: The office of the corporation is to be located in the County of Nassau,  
State of New York.

SEVENTH: The names and addresses of the three initial directors of the corporation are:  
*(A minimum of three are required)*

Name: Denise Ford, Siela Bynoe, Howard Kopel, Laura Curran, Wayne Hall, Karen  
Montalbano, Address: 1550 Franklin Avenue, Mineola, NY 11501

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EIGHTH: The Secretary of State is designated as agent of the corporation upon whom  
process against it may be served. The address to which the Secretary of State shall mail a copy of  
any process accepted on behalf of the corporation is:

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Carnell Foskey  
Nassau County Attorney  
One West Street  
Mineola, NY 11501

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NINTH: (Optional - Corporations seeking tax exempt status may include language required by the Internal Revenue Service in this paragraph.)

The following language relates to the corporation's tax exempt status and is not a statement of purposes and powers. Consequently, this language does not expand or alter the corporation's purposes or powers set forth in paragraph THIRD.

---

Incorporator Name: Edward Mangano

(Type or Print)

Address: 1550 Franklin Avenue  
Mineola, NY 11501

---

Signature **X**

CERTIFICATE OF INCORPORATION  
OF

The Nassau County Land Bank Corporation  
(Corporation Name)

Under Section 402 of the Not-for-Profit Corporation Law

FILED BY: Name: Carnell Foskey

Mailing Address: One West Street

City: Mineola State: NY Zip Code: 11501

NOTE: This sample form is provided by the New York State Department of State Division of Corporations for filing a certificate of incorporation. This form is designed to satisfy the minimum filing requirements pursuant to the Not-for-Profit Corporation Law. The Division will accept any other form which complies with the applicable statutory provisions. The Division recommends that this legal document be prepared under the guidance of an attorney. The Division does not provide legal, accounting or tax advice. This certificate must be submitted with a \$75 filing fee made payable to the "Department of State."

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For DOS use only

Introduced by: Legislators Siela Bynoe and Laura Curran

Co-sponsored by: Minority Leader Kevan Abrahams, Legislators Judy Jacobs, Carrie Solages, and Delia DeRiggi-Whitton.

LOCAL LAW NO. -2015

A LOCAL LAW AMENDING CHAPTER XVI  
OF CHAPTER 272 OF THE LAWS OF 1939,  
CONSTITUTING THE NASSAU COUNTY  
ADMINISTRATIVE CODE IN RELATION TO  
ESTABLISHING THE NASSAU COUNTY  
LAND BANK CORPORATION

PETER J. CLINES MINORITY COUNSEL

APPROVED AS TO FORM

BE IT ENACTED by the County Legislature of the County of Nassau as follows:

Section 1. Chapter XVI of Chapter 272 of the Laws of 1939, constituting the Nassau County Administrative Code is amended to establish Title C, to read as follows:

## Title C

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#### § 16-3.0 Legislative Intent.

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Many localities within Nassau County face a public crisis created by such zombie properties. In the wake of the subprime mortgage collapse, and as a result of predatory lending practices and a prolonged downturn in the economy, a substantial number of homeowners have been unable to keep up with their mortgage payments. Others have found themselves burdened by so-called “underwater mortgages”, where the homeowners owe more to their mortgage bank than their home is worth. As a result, such homeowners frequently cease paying their mortgages. Consequently, many such distressed properties are mired in slow-moving foreclosure proceedings. Under these circumstances, homeowners will often simply abandon their homes before the foreclosure process has concluded.



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Moreover, the Legislature finds that the burden of attempting to address the zombie property problem has heretofore fallen exclusively on already fiscally-overstretched municipalities such as town, villages and cities. In the judgment of the Legislature, such municipalities do not have the resources necessary to police, secure and maintain every vacant or abandoned property or to identify and commence legal proceedings against persons who are unwilling or unable to meet their obligations as property owners. In addition, municipalities currently do not possess the legal authority to compel mortgage

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The Legislature recognizes that land banks are one of the most important tools that can be employed to assist in preserving and revitalizing communities and invigorating the Nassau County economy by returning vacant, abandoned, and tax-delinquent properties to productive use.

Accordingly, the purpose of this law is to establish the "Nassau County Land Bank Corporation."

**§ 16-3.1 Creation of the Nassau County Land Bank Corporation.**

- a. The County Executive and/or his designee(s) are hereby authorized, empowered and directed to take all steps necessary to create and cause the incorporation of the not-for-profit "Nassau County Land Bank Corporation" pursuant to Article 16 of the New York State Not-For-Profit Corporation Law, including submission of all applicable documentation for application to the New York State Empire State Development Corporation.
- b. The Nassau County Land Bank Corporation shall be created for the purposes and

shall exercise and perform the powers set forth herein in accordance with the provisions of the Certificate of Incorporation, the by-laws and Article 16 of the New York State Not-For-Profit Corporation Law.

- c. Properties and/or tax liens shall only be transferred to the Nassau County Land Bank Corporation via duly adopted resolution of the Nassau County Legislature.
- d. All actions of the Nassau County Land Bank Corporation require approval by two-thirds (2/3) vote of its membership.
- e. Any borrowing or bonding by the Nassau County Land bank Corporation shall be for capital purposes only; borrowing or bonding shall not be authorized for operating expenses. Approval of borrowing or bonding by the Nassau County Land Bank Corporation shall require a unanimous vote of all Directors.
- f. The Nassau County Land Bank Corporation shall contract in writing with Nassau County for all of its operating expenses, including but not limited to personnel, overhead, supplies and equipment and such contract shall include terms for repayment of all expenses.
- g. Funds received by the Nassau County Land bank Corporation shall be remitted to the County to reimburse the County for:
  1. start-up costs;
  2. the balance of any tax lien transferred to the Nassau County Land Bank Corporation for less than the full amount of the lien, including any interested penalties, which interest and penalties shall continue to accrue on each lien until paid in full;
  3. the difference between the value of any property transferred to the Nassau County Land Bank Corporation for less than the full amount of the value of the property, including any charges and assessments;
  4. the cost of any County personnel, overhead, supplies and equipment assigned to the Nassau County Land Bank Corporation

pursuant to subsection f of this section.

§ 16-3.2 Board of Directors.

- a. The initial Board of Directors (the "Board") of the Corporation shall consist of seven members as follows:
  1. Howard Kopel, Nassau County Legislator
  2. Laura Curran, Nassau County Legislator
  3. Denise Ford, Nassau County Legislator
  4. Siela Bynoe, Nassau County Legislator
  5. Satish Sood, Deputy Commissioner, Nassau County Department of Public Works, Planning Division
  6. Wayne Hall, Mayor, Village of Hempstead
  7. Karen Montalbano, President, Baldwin Civic Association.
- b. Members of the Board shall serve staggered terms. Of the initial members appointed:
  - i. two shall be appointed for one-year;
  - ii. three shall be appointed for two-years; and
  - iii. two shall be appointed for three-years.

Thereafter, each member shall serve a term of three years.

- c. Notwithstanding the foregoing, members shall be appointed as follows:
  1. One Director shall be selected by the Presiding Officer of Nassau County Legislature (hereinafter the "Legislature") from the majority delegation to the Legislature's Towns, Villages and Cities Committee, with the approval of the Nassau County Legislature. This shall initially be a two-year term, and will be filled by Howard Kopel.
  2. One Director shall be selected by the Minority Leader of the Legislature, from the minority delegation to the Legislature's Towns, Villages and Cities Committee, with the approval of the Legislature. This

shall initially be a two-year term and will be filled by Laura Curran.

3. One Director shall be selected by the Presiding Officer of the Legislature from the majority delegation to the Legislature's Economic and Community Development and Labor Committee, with the approval of the Nassau County Legislature. This shall initially be a three-year term, and will be filled by Denise Ford.

4. One Director shall be selected by the Minority Leader of the Legislature from the minority delegation to the Legislature's Economic and Community Development and Labor Committee, with the approval of the Nassau County Legislature. This shall initially be a three-year term, and will be filled by Siela Bynoe.

5. One Director shall be the Nassau County Deputy Commissioner of the Department of Public Works, Planning Division. This shall be initially a two year term and will be filled by Satish Sood.

6. One Director shall be the chief elected official, or his or her designee, from the municipality in Nassau County which is most severely affected by the zombie housing crisis, based on which municipality has the largest percentage of vacant or abandoned residential properties in proportion to the total number of residential properties in that municipality, based on the latest data available in a vacant or abandoned property registry maintained by the New York State Attorney General, or, in the absence of such an Attorney General registry, in a registry maintained by the County of Nassau or based on other appropriate data. This shall initially be a one-year term and will be filled by Mayor Wayne Hall of the Village of Hempstead.

7. One Director shall be a representative of a not-for-profit organization dedicated to promoting affordable, sustainable housing,

economic and community development or environmental protection, or a civic association, operating in Nassau County, selected by the Nassau County Legislator whose legislative district encompasses localities most severely impacted by abandoned or vacant properties, as determined by the criteria set forth in subsection c (6) of this section. This shall initially be a one-year term, and will be filled by Karen Montalbano, President, Baldwin Civic Association.

**§ 16-3.3 Priorities for the Use of Land Bank Real Property.**

a. Pursuant to New York State Not-for-Profit Corporation Section 1609(e), Nassau County hereby establishes the following hierarchy of priorities for the use of real property conveyed by the Nassau County Land Bank:

1. Use for affordable housing;
2. Use for purely public spaces;
3. Use for retail, commercial and industrial activities;
4. Use as wildlife conservation areas.

**§ 16-3.4 Articles of Incorporation.**

The Certificate of incorporation of the Nassau County Land Bank Corporation, in substantially the same form as attached hereto, shall be filed with the New York State Department of State upon approval by the New York Empire State Development Corporation of the application for the creation of the Corporation.

**§ 16-3.5 Applicability.**

This law shall apply to any actions occurring on or after the effective date of this law.

**§ 16-3.6 Severability.**

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not effect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 2. **SEQRA Determination.** This legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this action is an unlisted action under the provisions of Title 6 NYCRR Part 617, and that based on an evaluation of the environmental criteria set forth in §617.7(c) that are considered to be indicia of significant adverse environmental impacts, along with the recommendation of the Nassau County Planning Commission acting in its advisory capacity to the legislature, that such action will not have significant adverse impacts on the environment, and that no additional environmental review or action is necessary.

Section 3. **Effective date.** This local law shall become effective upon filing in the Office of the Secretary of State.

CERTIFICATE OF INCORPORATION  
OF

The Nassau County Land Bank Corporation  
*(Corporation Name)*

Under Section 402 of the Not-for-Profit Corporation Law

FIRST: The name of the corporation is:

The Nassau County Land Bank Corporation

SECOND: The corporation is a corporation as defined in subparagraph (5) of paragraph (a) of Section 102 of the Not-for-Profit Corporation Law.

THIRD: *(Select one)*

- The purpose for which the corporation is formed is any purpose for which corporations may be organized under the Not-for-Profit Corporation Law as a charitable corporation.
- The purpose for which the corporation is formed is any purpose for which corporations may be organized under the Not-for-Profit Corporation Law as a non-charitable corporation.

The purpose or purposes for which the corporation is formed are as follows:

To acquire, hold, remediate, rehabilitate, renovate, rent, lease, sell, donate and otherwise manage available properties and/or tax liens associated with such properties in Nassau County, New York; to make and perform agreements with the County of Nassau and other municipalities, taxing jurisdictions and districts as well as individuals and business entities; to spend, invest, manage and disburse funds coming into its possession; and to engage all lawful activities permitted by Article 16 of the Not-For-Profit Corporation Law (the Land Bank Act) or otherwise permitted.



FOURTH: *(Check the appropriate statement)*

The corporation is not formed to engage in any activity or for any purpose requiring consent or approval of any state official, department, board, agency or other body. No consent or approval is required.

The corporation is formed to engage in an activity or for a purpose requiring consent or approval of a state official, department, board, agency or other body. Such consent or approval is attached.

FIFTH: The corporation is a:  charitable corporation  non-charitable corporation  
under Section 201 of the Not-for-Profit Corporation Law.

SIXTH: The office of the corporation is to be located in the County of Nassau,  
State of New York.

SEVENTH: The names and addresses of the three initial directors of the corporation are:  
*(A minimum of three are required)*

Name: Denise Ford, Siela Bynoe, Howard Kopel, Laura Curran, Wayne Hall, Karen  
Montalbano, Address: 1550 Franklin Avenue, Mineola, NY 11501

---

EIGHTH: The Secretary of State is designated as agent of the corporation upon whom  
process against it may be served. The address to which the Secretary of State shall mail a copy of  
any process accepted on behalf of the corporation is:

---

Carnell Foskey  
Nassau County Attorney  
One West Street  
Mineola, NY 11501

---

NINTH: *(Optional - Corporations seeking tax exempt status may include language required by the Internal Revenue Service in this paragraph.)*

The following language relates to the corporation's tax exempt status and is not a statement of purposes and powers. Consequently, this language does not expand or alter the corporation's purposes or powers set forth in paragraph THIRD.

---

Incorporator Name: Edward Mangano

*(Type or Print)*

Address: 1550 Franklin Avenue  
Mineola, NY 11501

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Signature  \_\_\_\_\_

CERTIFICATE OF INCORPORATION  
OF

The Nassau County Land Bank Corporation  
(Corporation Name)

Under Section 402 of the Not-for-Profit Corporation Law

FILED BY: Name: Carnell Foskey

Mailing Address: One West Street

City: Mineola State: NY Zip Code: 11501

NOTE: This sample form is provided by the New York State Department of State Division of Corporations for filing a certificate of incorporation. This form is designed to satisfy the minimum filing requirements pursuant to the Not-for-Profit Corporation Law. The Division will accept any other form which complies with the applicable statutory provisions. The Division recommends that this legal document be prepared under the guidance of an attorney. The Division does not provide legal, accounting or tax advice. This certificate must be submitted with a \$75 filing fee made payable to the "Department of State."

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