



The Suffolk County Landbank Corporation (SCLBC)

- The Suffolk County Landbank Corporation (SCLBC) is a not-for-profit corporation, which was organized in accordance with the [New York State Land Bank Act](#). The overall purpose of the SCLBC is to facilitate the redevelopment of distressed and underutilized properties within Suffolk County. Suffolk County was granted approval to create a land bank in February 2013, and the SCLBC was organized in May 2013.
- The creation of the SCLBC was the result of extensive collaboration with the Executive and Legislative branches of Suffolk County's government, as well as the Suffolk Town Supervisors Association, all of which are represented in the board of directors, as well as New York State's Department of Environmental Conservation, and community stakeholders. The cooperative approach in its organization has resulted in expressions of support from every town in the county.
- The goals of the Suffolk County Landbank Corporation (SCLBC) are to: facilitate community revitalization, protect the quality of Suffolk's sole source drinking water through the clean-up of brownfields, and create short term remediation jobs, mid-term construction jobs, and long-term employment, by returning neglected properties to productive reuse.



The Suffolk County Landbank: Board of Directors and Staff

Board of Directors & Officers	Corporation Staff
Hon. Steven Bellone, Chairperson	Colleen, Badolato, Executive Administrative Assistant
Peter Scully, Designee for County Executive	Robert Braun, Esq. Lead Counsel
Natalie Wright, Vice-Chairperson & Secretary	Dorian Dale, Assistant Secretary
Sidney Joyner, Treasurer	Janet Gremler, Suffolk County Department of Health Liaison
Hon. James Mazarella, Director	Matthew Kapell, Senior Project Manager
Hon. Jason Richberg, Director	Mikael Kerr, Project Manager
Hon. Richard Schaffer, Director	Sarah Lansdale, Executive Director/President
Cara Longworth, Director	
Thomas Cilmi, Ex-Officio Director	



Suffolk County Landbank: Brownfield Program

SCLBC Brownfield Programmatic Goals

- Attract private sector investment to remediate and redevelop tax-delinquent brownfields
- Provide an enforceable remedy to tax-delinquent brownfield owners
- Utilize a cross-agency team of County personnel on an as-needed basis, leveraging a variety of expertise and eliminating need for a separate Land Bank staff
- Perform environmental due diligence
- Acquire and resell tax liens



Tax Delinquent Brownfield Enforcement

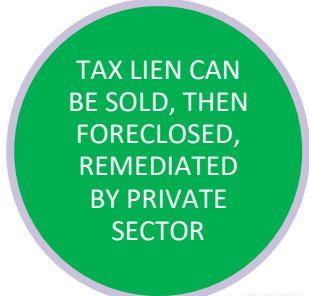
Per the Suffolk County Tax Act:
tax liens must be sold at face value of the lien
In many cases, this amount exceeds the property value

Prior to Land Bank



Land Bank process

- Land Bank utilizes grant funding to perform environmental site assessments and assess level and nature of contamination on property
- Land Bank can accept tax lien from Suffolk County and sell at **negotiated market value** to qualified developer interested in remediating the site
- Process keeps Suffolk County out of chain of title, therefore **limiting environmental cleanup liability to taxpayers**



169

- Tax-Delinquent Parcels denied for taking by County Division of Real Property due to real or perceived contamination

\$40 million

- In outstanding tax liens on brownfield and superfund parcels, dating back as far as 1989

\$3.8 million

- In annual burden to County taxpayers, making other taxing jurisdictions whole on for the unpaid taxes. Most parcels continue to be assessed as functioning businesses with no remedy for reassessment



Brownfield Inventory & Categorization

- NPL / State Superfund/Non-Superfund
 - Leverage: NYSDEC and EPA databases
 - Leverage: Suffolk County Health Dept. and Division of Real Property inspectional data
- Initial target properties (low hanging fruit)
 - Vacant properties
 - Not currently undergoing long-term remediation
 - Long history of tax-delinquency with no apparent resolution in sight



Environmental Due Diligence

Inventory

- Property is reviewed at the County level.
 - SC Health Dept. History (SCDHS)
 - Current and former uses
 - DEC and EPA history

Phase I

- If no history of Superfund remediation is indicated ESAs are performed
- Phase I ESA – determine potential for contamination
- If Phase II recommended, initiate site access procedure

Site Access

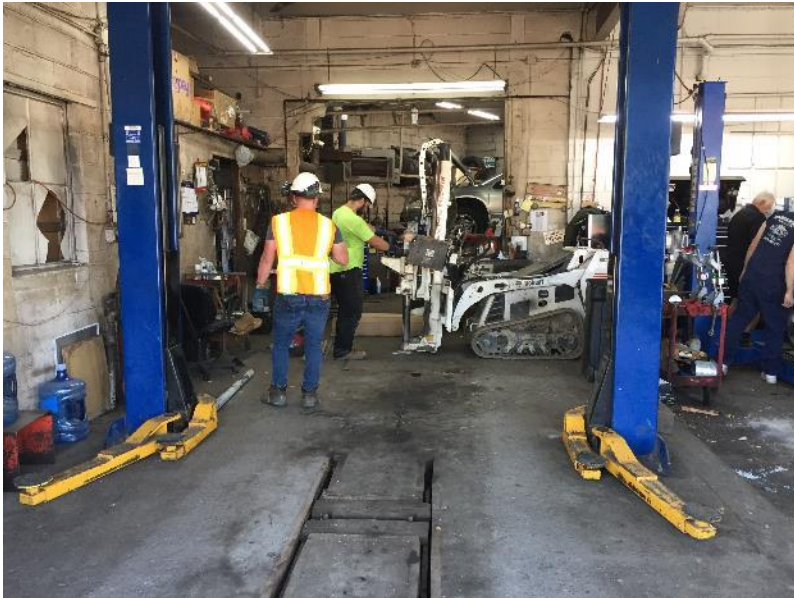
- Via SCDHS, request permission for access and inspection
- If permission not granted, formal hearing process initiated
- Administrative warrant issued by SCDHS Commissioner
- Court order requested to validate due process

Phase II

- Test for soil, groundwater and vapor issues
- Examine structures for asbestos and lead paint
- Determine remediation necessary and potential cost



Coordinating Site Access for Environmental Assessment



Suffolk County Landbank - Partnerships



Suffolk County provides staffing via its Department of Economic Development and Planning, as well as technical assistance via its Department of Health Services and resources via its Comptroller's Office, and Sherriff's Office



NYS Office of the Attorney General provides programmatic grant for additional Phase I and Phase II investigations, as well as administrative costs, via Community Revitalization Initiative program, utilizing bank settlement funds



NYSDEC provides technical assistance as well as institutional data and knowledge regarding sites with known contamination and/or remediation efforts. Additionally, SCLBC and NYSDEC have executed a Memorandum of Understanding which provides for the sharing the information and most importantly, liability protections for the Landbank and parties who purchase property through the Landbanks process.



Agreement with NYS Environmental Agencies - Summary

- Parties included in agreement:
 - NYS DEC, NYS Oil Spill Fund, Suffolk County, Suffolk County Landbank Corp.
- Key Terms of Agreement:
 - Articulates cooperation and collaboration among the four agencies to effectuate the environmental investigation and transfer of tax-delinquent brownfield properties in Suffolk County to buyers who will remediate the properties and bring them to productive use
 - Provides additional assurance to the County and Landbank, that State agencies will covenant not to sue the Landbank or the County as responsible parties in the course of the Landbank carrying out its mission
 - Provides a waiver for claims for recovery of past cleanup costs (if they exist), making the properties more marketable
 - Sets a mutually agreed blanket mechanism for the distribution of proceeds of sale on properties which have been encumbered by NYS Agencies for past cleanup costs, eliminating the need for lengthy negotiation and litigation in the future on individual agreements



Agreement with NYS Environmental Agencies – Distribution of Proceeds – Sample Scenario

EXAMPLE SCENARIO - HYPOTHETICAL STATE SPILL REMEDIATION SITE

Costs, for purposes of this Agreement as specified in 3.1.1

		Proportion of Costs pursuant to 3.1.2.4
NYS DEC Costs	\$ 100,000	5.54%
Oil Spill Fund Costs	\$ 700,000	38.78%
Tax Lien Costs	\$ 1,000,000	55.40%
Land Bank's Closing Costs	\$ 5,000	0.28%
Total Costs	\$ 1,805,000	

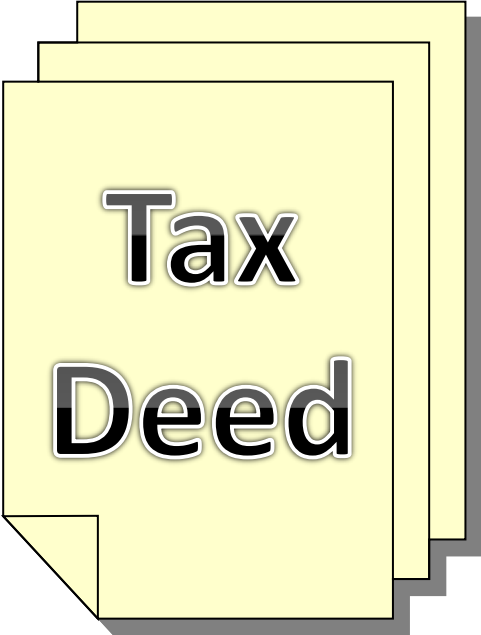
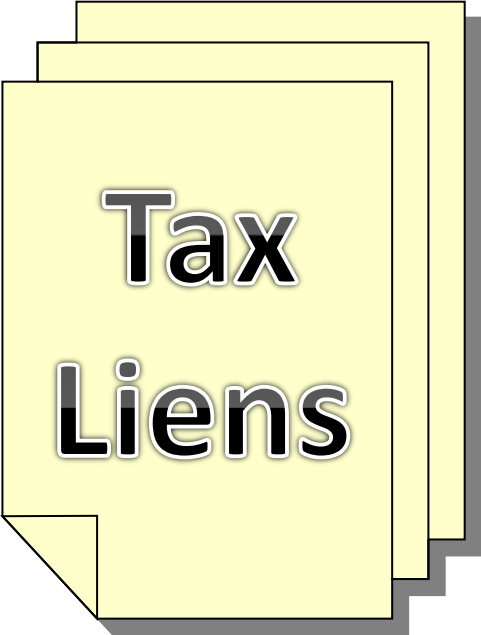
Example of Disbursement of Sale Proceeds as specified in 3.1.2

Proceeds of Sale from Buyer	\$ 1,000,000	
Land Bank's Closing Costs	\$ 5,000	
Proportional Costs paid from net proceeds		
To pay NYS DEC proportional costs	\$ 55,125	5.54%
To pay Oil Spill Fund proportional costs	\$ 385,873	38.78%
To pay the Tax Lien Costs to Land Bank	\$ 551,247	55.40%
Remaining Net Proceeds to be paid to the Land Bank	\$ 2,756	

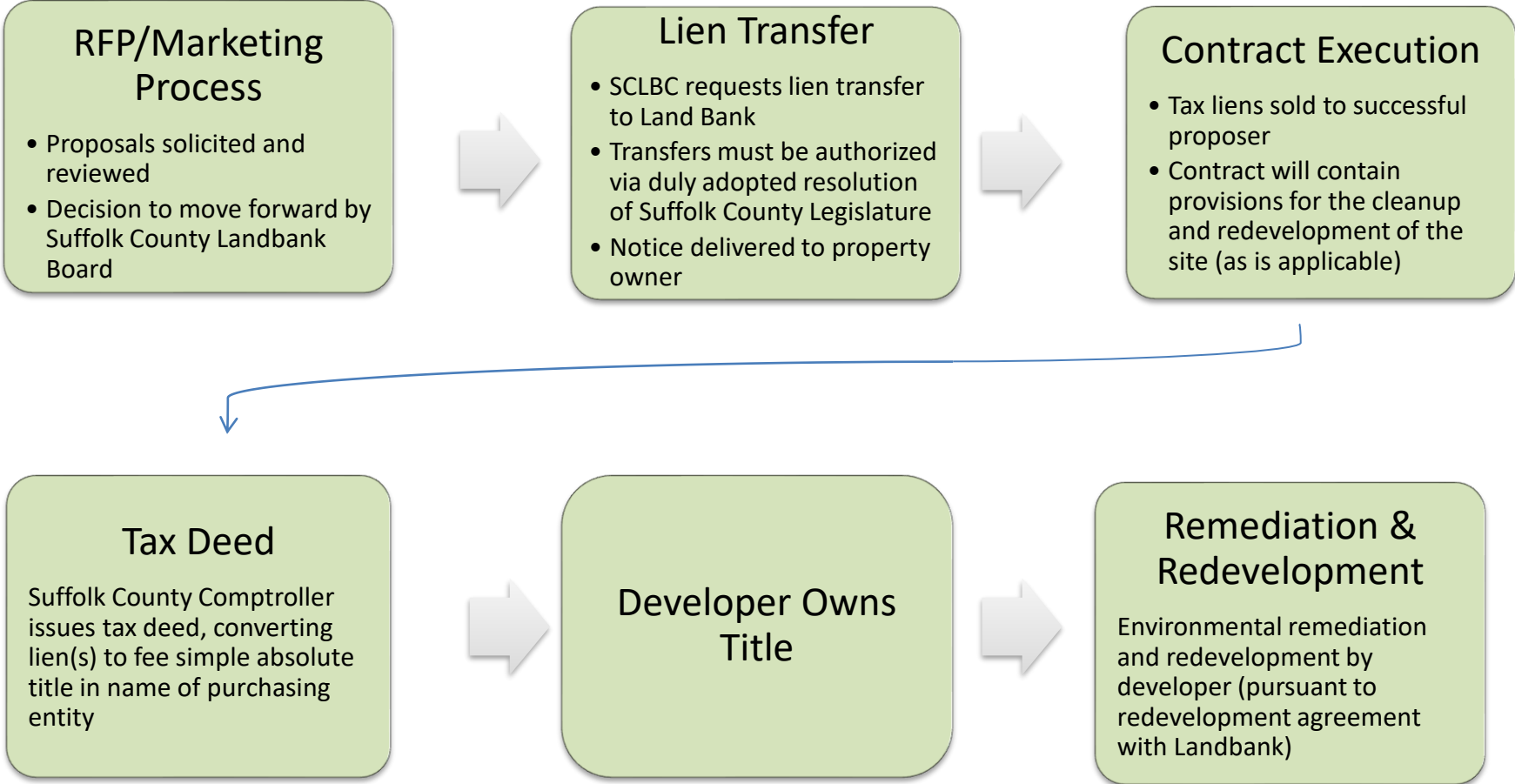
All proceeds which are received by the Land Bank are further distributed between the County and Land Bank pursuant LL 2016-1



Property Transfer Process



Property Transfer Process



Suffolk County Landbank 2014 - 2021

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- Tax-Delinquent Sites sold by the Suffolk County Landbank

\$2,734,700

- Generated from Tax-lien Sales

\$496,293

- Annual taxes generated

\$7,500,100

- Total taxes recouped since creation of SCLBC in 2013, thanks to collaborative efforts of SCLBC, SCDHS and Suffolk County Comptroller



Brownfield Project Spotlight: Former Medigen Facility 95 Eads St. West Babylon, NY



Prior Use: Former medical waste incineration factory with storm drain contamination, underground tank issues, medical waste, sludge and various VOC's, heavy metals and semi-volatiles throughout the site

Total Acres: 0.33

Annual Taxes: \$32,163

Zoning: Industrial

Tax Liens: \$ 439,552

Years Delinquent: 14

Sale Price: \$50,000

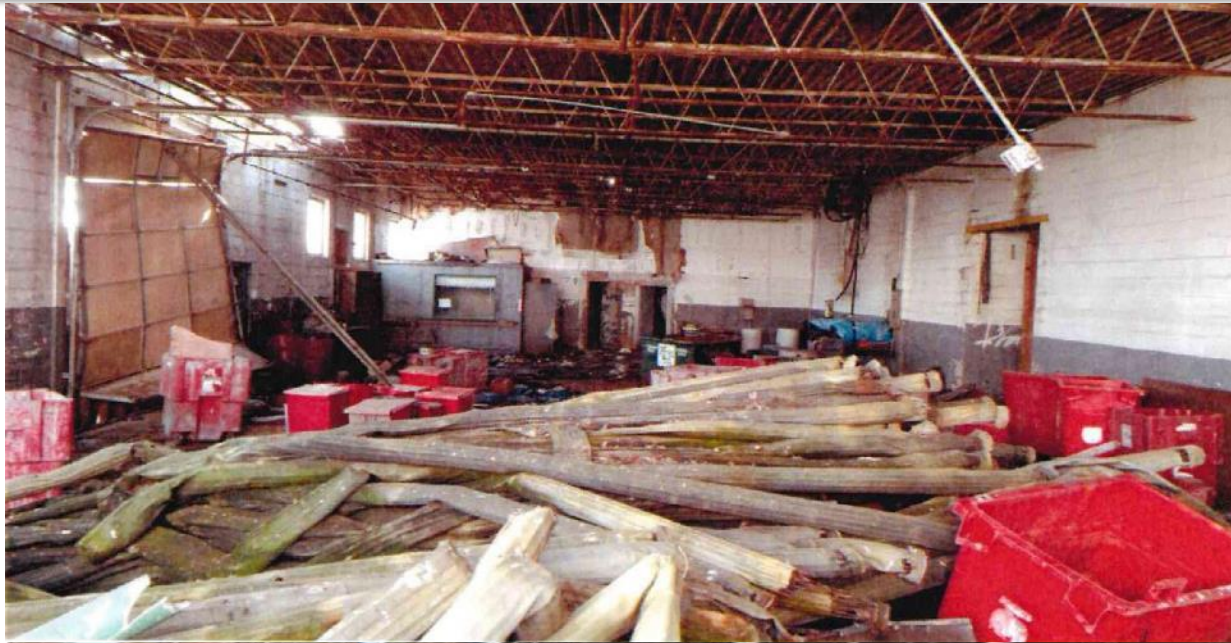
Estimated Cleanup Cost: \$358,000

Proposed End Use: Industrial Tenant Space



Brownfield Project Spotlight: Former Medigen Facility, 95 Eads St. West Babylon, NY

Before Photos:



Brownfield Project Spotlight: Former Medigen Facility 95 Eads St. West Babylon, NY



After Photos:



Brownfield Project Spotlight: Former Hubbard Power and Light, 1600 Bay Shore, NY



Prior Use: Former wood burning power plant that illegally burned treated woods, contaminating the property with high levels of arsenic, chromium and various other heavy metals

Total Acres: 1.84

Annual Taxes: \$289,000

Zoning: Industrial

Tax Liens: \$6,500,000

Years Delinquent: 21

Sale Price: \$343,000

Estimated Cleanup Cost: \$310,000

Proposed End Use: Industrial Tenant Space



Brownfield Project Spotlight: Former Hubbard Power and Light, 1600 Bay Shore, NY

Remediation / Decommission in Progress



Thank You.

For more information:

www.suffolkcountylanbank.org

Email: lanbank@suffolkcountyny.gov

