



TCPDC

TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION

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**Tioga County Property Development Corporation
Board Meeting Minutes**

**Thursday, April 24, 2019
5:30 p.m.**

**Ronald E. Dougherty County Office Building
Economic Development & Planning Conference Room #201
56 Main Street, Owego, NY 13827**

1. Call to Order: Chair Sauerbrey called the meeting to order at 5:31 p.m. with six board members in attendance. Board member, Dave Astorina arrived at 5:58 p.m.

2. Attendance:

a. Board of Directors: Martha Sauerbrey (Chair), Ralph Kelsey (Treasurer), Michael Baratta (Secretary), Stuart Yetter, Patrick Ayres, Christina Brown, David Astorina

b. Staff: Teresa Saraceno, Cathy Haskell, LeeAnn Tinney (departed @ 5:41 p.m.)

c. Excused:

d. Absent:

e. Guests: M. Freeze (departed @ 5:41 p.m.), J. Meagher (departed @ 5:58 p.m.)

3. **Old Business**

a. Board Member Updates:

i. Board Member Appointments: Christina Brown and David Astorina – Chair Sauerbrey announced Ms. Brown and Mr. Astorina as the newest TCPDC board members, per Tioga County Legislature resolutions #58-19 and #59-19 adopted on February 12, 2019.

Motion to acknowledge the new board members and their willingness to serve.

P. Ayres/S. Yetter/Carried

None Opposed

No Abstentions

ii. Board Member Resignations: Dale Weston and Lewis Zorn – Chair Sauerbrey reported Mr. Weston and Mr. Zorn both submitted their letters of resignation to the Clerk of the Legislature effective April 12, 2019.

iii. Board Member Recruitments: In light of the two recent resignations, Chair Sauerbrey reported Village of Nichols Mayor Lesley Pelotte expressed interest in serving one of the positions. Mr. Kelsey recommended recruiting a candidate from the northern part of the County, specifically a town representative.

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Board members should submit names to Executive Director Saraceno for board consideration and recommendation to the Tioga County Legislature, as they are the governing body responsible for board appointments. Ms. Saraceno reported the TCPDC bylaws indicate board members shall be a public officer of a municipality within Tioga County or a member of a County Agency and membership shall be conditioned upon holding the public office. In addition, municipal representatives of the TCPDC Board of Directors shall be appointed by the Chairman, confirmed by majority vote of the Legislature, with consent of the municipal representative's governing board.

Chair Sauerbrey reported she would point out to the Legislature that membership needs to be broad-based across the County and not several members from one municipality.

The Board inquired about Legislator appointments. Mr. Yetter reported Legislator appointments limit committee membership, as Legislators are unable to serve on the standing committees.

Ms. Saraceno reported Legislator Mullen expressed interest in serving on the Board.

Chair Sauerbrey inquired about possibility of amending the bylaws to broaden the opportunity for board membership.

UPDATE: According to Tioga County Legislature resolution 265-16, all amendments pertaining to number, term, or qualifications of members of the Board require approval of the Tioga County Legislature. According to the TCPDC bylaws, all other amendments could be done by majority vote of the TCPDC Board of Directors.

- b. Approval of January 17, 2019 Board of Directors Meeting Minutes** – Chair Sauerbrey requested a motion to approve the minutes from the January 17, 2019 Board of Directors meeting.

Motion to approve the minutes from the January 17, 2019 Board of Directors meeting, as written.

**S. Yetter/R. Kelsey/Carried
None Opposed
No Abstentions**

- c. Status of Board of Directors: ABO Webinar Training Requirement** - Chair Sauerbrey reported all TCPDC Board of Directors are required to complete ABO webinar training. Chair Sauerbrey advised board members to register for the next training session indicating there are openings for the May 1, 2019 session. To date, Board members Mr. Baratta, Mr. Ayres, and Mr. Astorina need to complete the required training.
- d. Status of Board of Directors: Policy Review Attestations and Financial Disclosures** - Ms. Saraceno reported the Policy Review Attestations were due on March 31, 2019 and we have one outstanding from board member Mr. Astorina.

EXECUTIVE SESSION: Motion by Mr. Kelsey, seconded by Mr. Ayres to move into Executive Session to discuss potential contracts. Motion carried to go into Executive Session at 5:41 p.m. with TCPDC Attorney Meagher remaining in attendance.

Motion by Mr. Ayres, seconded by Mr. Kelsey to exit Executive Session at 5:58 p.m. Executive session adjourned at 5:58 p.m. with regular meeting resuming.

Motion to adopt Resolution 2019-1 authorizing the waiver of the two deficiencies in the bid process with respect to certificates of asbestos abatement on the condition they are received by 5:00 p.m. on April 25, 2019; awarding of bid to the lowest qualified bidder, Upstate Machinery, for nine controlled demolitions at a cost of \$163,400; and awarding of bid to the lowest qualified bidder, Keystone Environmental Services, for asbestos abatement, air sampling, lab analysis/project monitor visual inspection services at a cost of \$10,296 for the following properties:

108 Park Place	Village of Waverly	166.19-4-4
112 Park Place	Village of Waverly	166.19-4-6
452 Cayuta Avenue	Village of Waverly	167.17-1-19
530 E. Chemung Street	Village of Waverly	167.09-4-14
127 Providence Street	Village of Waverly	166.19-4-72
457 Fulton Street	Village of Waverly	166.19-2-57
117 Liberty Street	Village of Owego	128.08-1-7
39-41 Temple Street	Village of Owego	128.08-7-76
115-117 Chestnut Street	Village of Owego	128.08-3-82

**S. Yetter/D. Astorina/Carried
None Opposed
No Abstentions**

ACTION: Ms. Saraceno will obtain an additional quote from Keystone Environmental Services to act as a Clerk of the Works for the entire process and will conduct an email poll vote with the Board members.

4. **New Business –**

- a. **ABO Reporting** – Chair Sauerbrey reported ABO PARIS (Public Authorities Reporting Information System) Report has been completed and submitted for fiscal year ending December 31, 2018.
- b. **Financial Report** – Ms. Saraceno reported 1st quarter funding received for \$93,957.62 and, to date, three financial transactions have occurred. The financial transactions include NYS Land Bank Association annual dues (\$2,000), 1st quarter administrative service fees to Tioga County ED&P (\$8,133.12) and property transfers (\$12.00), as well as standard bank fees and check order (\$37.00) leaving a budgeted balance of \$83,775.50. Going forward, Ms. Saraceno will proceed with online bank statements to avoid the paper statement cost. Ms. Saraceno will proceed with the 2nd Quarter disbursement request now that bid information is available. Ms. Saraceno reported in order to be eligible for quarterly drawdown requests financial data needs to be submitted identifying expenditure of previous funding.

c. **Transfer of Twelve (12) Properties from Tioga County to TCPDC** – Chair Sauerbrey reported the transfer of properties was completed and deed filed on April 5, 2019. Chair Sauerbrey reported nine (9) properties anticipated for demolition and three (3) properties considered for possible rehabilitation once funding is available.

In regards to mowing services, Chair Sauerbrey reported local governments are no longer responsible for providing these services, as property ownership has transferred to TCPDC. Ms. Saraceno will start the process of obtaining quotes for mowing services for Board consideration.

In regards to the three potential rehabilitation properties, Ms. Saraceno reported this process is secondary to the demolition process. Once the demolition process is underway, she will request contractor bids for the three rehabilitation properties. Based on contractor feedback, upon review, and quotes received, Ms. Saraceno reported the three potential rehabilitations could convert to demolition projects.

Chair Sauerbrey reported initial discussion ensued around the possibility of gutting the properties and making them ready for rehabilitation versus TCPDC doing full rehabilitation. Ms. Saraceno reported this is still a viable option and will depend on additional funding approval.

Ms. Saraceno reported there are other possible demolitions through the Village of Owego Downtown Revitalization Initiative (DRI) \$10 million dollar project. Ms. Saraceno reported one of the projects under consideration is for Tioga Opportunities to obtain six or seven properties on Temple Street for demolition and new housing construction. Tioga Opportunities would purchase four of the properties with one property already owned and slated for demolition by TCPDC. Tioga Opportunities would enter into a MOU with TCPDC to demolish the properties with project funding through DRI for new housing construction. This project is contingent on DRI approval, which announcement is anticipated for August 2019.

Ms. Saraceno reported the NYS Assembly has approved a \$20 million dollar line item in the State budget for NYS Land Banks instead of continuing with the current 2-year application process, however, this still requires approval of NYS Senate and Governor.

Mr. Ayres inquired as to the plan for TCPDC to develop the next list of available properties. Prior to requesting additional funding for future properties, Ms. Saraceno reported TCPDC must accomplish the current plan. However, as for the process, Ms. Saraceno reported TCPDC would look at the tax foreclosure list prepared by the Tioga County Treasurer's Office and work closely with County Treasurer McFadden and Legislature on prospective properties.

Chair Sauerbrey reported TCPDC received \$500,000 funding for two-years and these funds are budgeted for demolition and possible rehabilitation for TCPDC's first project, therefore, inquired as to how we would have available funding to purchase properties this year from a tax foreclosure list. Ms. Saraceno reported TCPDC has the opportunity to receive the remainder of the initial request of \$910,000 providing TCPDC can accomplish the plan at hand and expend the initial award of \$500,000.

Mr. Astorina inquired as to whether there is a marketing component. Ms. Saraceno reported TCPDC annual report distributed to the Council of Governments (COG), which

is a body comprised of municipal mayors and supervisors. In addition, ED&P attended several municipal meetings in 2018 and 2019 for informational purposes. As the process moves forward, Ms. Saraceno reported documentation of the demolition and rehabilitation process will occur through photos, press releases, social media, etc.

- d. **TCPDC Insurance Coverage** – Chair Sauerbrey reported cancellation of the TCPDC insurance coverage under the County has occurred and new policies issued for TCPDC as of April 5, 2019. Ms. Saraceno verified receipt of certificates of insurance.
- e. **Utility Shutoff Confirmation** – Chair Sauerbrey reported confirmation for gas, electric, and water service shut offs is currently underway. Ms. Saraceno reported the awarded demolition contractor will be responsible for shut off and sewer line cap for each demolition project.
- f. **Accounting Services** – Chair Sauerbrey reported accounting services established with Jan Nolis, CPA and QuickBooks installed for recordkeeping. Mr. Kelsey inquired as to whether there is a contract in place with Ms. Nolis. Ms. Saraceno reported the Board accepted and approved the proposal submitted by Ms. Nolis outlining services, cost, etc.
- g. **Legal Services** – Chair Sauerbrey reported legal services established with Joseph Meagher, Esq. Chair Sauerbrey reported Mr. Meagher also serves as the Tioga County IDA attorney, as well as the Broome County Land Bank attorney.
- h. **1st Quarter Funding Request** – Chair Sauerbrey reported 2019 funding received for \$93,957 from Enterprise Community Partners, Inc.
- i. **Discussion of 2nd Quarter Funding** – Chair Sauerbrey reported Ms. Saraceno would soon be submitting the 2019 2nd Quarter Disbursement Request to Enterprise Community Partners, Inc. now that the bid information is known.
- j. **Discussion of Request for 58 Whig Street, Newark Valley, NY** – Chair Sauerbrey reported Village of Newark Valley Mayor Tornatore has a property that is currently not in foreclosure, but would like TCPDC to consider possible acquisition and expedition of the County foreclosure process. Chair Sauerbrey reported this is not an option with the County Attorney. Chair Sauerbrey reported TCPDC has a plan over the next two years with already identified properties and we need to abide by the plan and follow the established process. All Board members in agreement.

In addition to the Newark Valley request, Ms. Saraceno reported she received a request from Attorney Frank Como for property located at 530 E. Chemung Street, Waverly, which is one of the properties slated for demolition. Ms. Saraceno reported Attorney Como indicated he had a potential buyer for this property. Based on the fact this is a TCPDC-owned property and included in the demolition bid process it was felt TCPDC should proceed with the demolition process and then offer the lot for purchase to the potential buyer.

Mr. Ayres inquired about as to how TCPDC should handle these type of requests in the future and how property value would be determined. Ms. Saraceno reported the TCPDC mission is to ensure the process is done properly with securing the neighborhood and obtaining a clean site ready for development, therefore, allowing

a deviation from this plan results in TCPDC losing control of the process. The Board agreed it was imperative to follow the process and plan as identified.

- k. **Discussion of Request for Removal of Historic Elements** – In regards to two of the Waverly properties slated for demolition, Ms. Saraceno reported she received a request from one individual interested in retrieving mantels, trim, and other historic pieces that could be re-purposed and used elsewhere in the community. Ms. Saraceno reported the properties are insured and we would have to be on-site with this individual if TCPDC were to grant this request. Mr. Kelsey recommended consulting with the insurance company to ensure there is no objection on their part. Mr. Ayres reported it is one particular property on Park Place in Waverly that is of interest to this individual. Mr. Ayres reported this individual has been helping other property owners restore buildings with re-purposing old materials. Mr. Ayres reported he is in favor of this request. Mr. Ayres reported this individual has a good track record of re-purposing materials in the community and is not trying to garner materials for profit. Mr. Yetter expressed concern with allowing one individual to take materials of value without opportunity for others to do the same. Mr. Kelsey suggested working with the demolition contractor. Ms. Saraceno reported TCPDC owns the properties; therefore, the demolition rights remain with TCPDC and not the demolition contractor. For future, Mr. Astorina inquired whether it would be beneficial for TCPDC to assess whether there are valuable elements and then conduct a bid process to ensure fairness as part of the process. Chair Sauerbrey inquired as to whether we should do a bid process now prior to demolition of these properties.

ACTION: Ms. Saraceno will seek legal advice from Attorney Meagher, as well as liability advice from the insurance company to determine if this is a feasible request. Ms. Saraceno will send a follow-up email noting the responses received and possibly conduct an email poll vote for Board members on whether to grant this request.

- l. **Discussion of Change in Status of Executive Director Position** – Ms. Saraceno reported she is retiring from Tioga County effective April 27, 2019. However, Ms. Saraceno will be returning to work on a part-time basis of 17 hours per week, Tuesday – Thursday from 10:00 a.m. – 4:00 p.m., as the Tioga County Legislature recently appointed her as the TCPDC Executive Director.

5. **Chair's Remarks** - Chair Sauerbrey thanked everyone for serving on this Board as we embark on the organization's first project.

6. **Other** –

- **Land Bank Conference** - Ms. Saraceno requested TCPDC Board approval to attend the Land Bank Conference in Buffalo, NY from June 12-14, 2019.

Motion to approve Ms. Saraceno's attendance and expenses incurred at the Land Bank Conference in Buffalo, NY from June 12-14, 2019.

**M. Sauerbrey/P. Ayres/Carried
None Opposed
No Abstentions**

- **Meeting Notifications** – Mr. Kelsey requested Ms. Saraceno send Outlook meeting notifications versus email notifications for all upcoming meetings.

7. **Next Meeting** – Wednesday, July 24, 2019, at 5:30 p.m. in the ED&P Conference Room.

8. **Adjournment** – Meeting adjourned at 7:05 p.m.

Respectfully submitted,

Cathy Haskell

Deputy Legislative Clerk