



T C P D C

TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION

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| www.tiogacountyny.gov

| 56 Main St. Owego NY 13827

Tioga County Property Development Corporation
Regular Board of Directors
Wednesday, October 26, 2022 at 4:00 PM
Ronald E. Dougherty County Office Building
56 Main St. Owego, NY 13827
Economic Development Conference Room #201

Minutes

1. R. Kelsey called the meeting to order at 4:02.
2. Attendance
 - a. Present: M. Sauerbrey, P. Ayres, M. Baratta, R. Kelsey, S. Yetter, D. Astorina, H. Murray, S. Zubalsky-Peer
Excused: L. Pelotte
Absent: None
 - b. Invited Guests: B. Woodburn, K. Warfle
3. Old business
 - a. **Motion to approve minutes of July 7, 2022 Regular Board Meeting as distributed:**
M. Sauerbrey/S. Yetter/Carried
None Opposed
No abstentions
 - b. Financial Reports were distributed for review prior to and at the board meeting. Ms. Woodburn summarized the current income and recent expenses.

Motion to acknowledge Financial Reports through September 30, 2022 as presented:
H. Murray/M. Baratta/Carried
None Opposed
No abstentions
 - c. Status of Temple/Liberty Street owned properties
 - i. Providence Housing Proposal – One proposal was received from Providence Housing in response to the RFP issued by the TCPDC for the acquisition and redevelopment of Temple and Liberty Street lots. TCPDC steering committee met in September to look at the proposal and, at their request, Ms. Woodburn presented information to the Village of Owego Board on several occasions and received feedback on the proposal.

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Site visits were made by TCPDC Board members, Village of Owego Board members and Tioga County Economic Development and Planning staff to other properties owned and managed by Providence. Ms. Woodburn shared with the board photos and information regarding the types of housing Providence provides in other areas of the state. Properties appeared well-maintained and some are LEED certified. Property managers are on-site. Ms. Woodburn will share with the board the Providence website to view all the types of properties. It was noted that Providence is trying to be responsive to the desires and concerns of the local community residents.

M. Baratta noted that site plan review by the Village of Owego Planning Board will be needed. Any zoning variances will require approval by the Village of Owego Zoning Board of Appeals. M. Baratta confirmed the Village of Owego now has an adopted zoning map and noted the area in discussion is zoned R3.

Discussion ensued regarding parking spaces for the housing units, setbacks and whether a variance would be needed. Ms. Woodburn stated Providence will hire an architect to look into this further and develop a site plan once site control is obtained. Providence will conduct a market analysis and intends to engage the community and residents to determine the housing that is needed and compatible with this area. Ms. Woodburn worked with Joe Meagher and Providence Housing to develop and present to the Board an Option Agreement between TCPDC and Providence Housing.

Motion to authorize Brittany Woodburn to sign option agreement between Providence Housing and TCPDC for the Temple and Liberty Street properties in the amount of \$225,000 contingent on review and approval of Providence Housing's final site plan for the properties.

**P. Ayres/D. Astorina/Carried
None Opposed
No Abstentions**

ii. Property Maintenance

1. Tree removal - Removal of two trees at 103 Liberty Street (OACSD project) and one tree at 94 Liberty Street has been completed. Hooker Foundation funds paid for trees removed at Liberty Street property in the amount of \$1,200. Two proposals were received for this work.
 - WetGrass Properties - \$3,132
 - Zimmer's Affordable Tree Service - \$2,200

Motion to reaffirm the e-mail vote authorizing Zimmer's Affordable Tree Service to remove the two trees at 103 Liberty Street and the one tree at 94 Liberty Street in the amount of \$2,200.

**S. Yetter/H. Murray/Carried
None Opposed
No Abstentions**

2. Stone raking/lawn maintenance – work has been completed. Three proposals were received for this work.
 - Scott's Lawn Care - \$1,435
 - LCP Group - \$4,000

- Forse Excavation \$4,500

Motion to reaffirm the e-mail vote authorizing Scott's Lawn Care to stone rake the Temple/Liberty Street properties in the amount of \$1,435.

P. Ayres/D. Astorina/Carried

None Opposed

No Abstentions

3. Snow removal – Two proposals were received.
 - WetGrass Property Care - \$125 per service
 - Scott's Lawncare - \$210 per service

Motion to authorize WetGrass Property Care to provide snow removal services in the amount of \$125 per service.

M. Sauerbrey/P. Ayres/Carried

None Opposed

No Abstentions

d. Status of 103 Liberty Street/OACSD project – Ms. Woodburn stated the students are back working at the site and she provided an update regarding internal demolition, concrete footers, floor supports, HVAC and electric. Progress photos are being taken.

e. Status of 80, 82 and 84 Main St. Candor NYMS Project – Ms. Woodburn reported project is going well, rough & plumbing electric work is all complete, insulation nearly complete and window installation has begun.

f. Update on 2022 V. Owego and V. Newark Valley acquisitions (tabled until later in the meeting, see after item 5).

4. New Business

- a. a. Proposals for audit and accounting services for year end 2022 – TCPDC Finance Committee met to discuss recent change in current auditor's pricing, as well as recommendation to utilize an additional accounting firm to assist in preparing financial records for audit. Ms. Woodburn noted that the TCPDC's current auditing firm, Bonadio, notified the TCPDC in September that they will be increasing their 2022 audit fee from \$5,900 to a proposed fee of \$10,000 for FYE 2022 and 2023. The increased fee is due to price increases as a result of COVID-19, staffing shortages, and additional time and services Bonadio provides to assist the TCPDC throughout audit process. Due to the substantial increase in fee, TCPDC issued a Request for Proposal for audit services in September. Mengel, Metzger, Barr and Co. and Insero declined to submit due to timing. Two proposals were received.
 - Bonadio - \$10,000
 - EFPR - \$12,000 - \$15,000

Ms. Woodburn also noted that she had discussions with Bowers & Company regarding providing accounting services and support to the TCPDC. Bowers currently provides accounting services to several Land Bank's across NY state. Bowers proposed charging the TCPDC \$750 per month for the following services:

- Issue financial statements on a monthly basis
- Track grants and recognize deferred income and expenses on a monthly basis
- Track properties
- Bank reconciliation
- Prepare 1099s
- Provide training and assist with QuickBooks online as necessary

These accounting services are currently handled by TCPDC staff. Ms. Woodburn noted that Bonadio also proposed a one-time fee between \$1,200 - \$1,500 to assist the TCPDC in preparing for upcoming 2022 audit.

Ms. Woodburn noted the Finance Committee’s recommendation of approval to the full Board to contract with Bowers & Company to standardize and prepare the financial accounts for audit, as well as contract with Bonadio to complete the audits for years ending 2022 and 2023. R. Kelsey noted that the current CPA will continue to do the 990 for TCPDC.

Motion to contract with Bonadio to provide audit services for a fixed fee of \$10,000 for FYE 2022 and 2023.

**S. Yetter/M. Sauerbrey/Carried
None Opposed
No Abstentions**

Motion to contract with Bowers & Company CPAS PLLC to provide FYE 2022 accounting services for a fixed fee between \$1,200 – 1,500 and contract with Bowers and Company to provide accounting services for 2023 at a monthly fee of \$750 per month.

**M. Sauerbrey/D. Astorina/Carried
None Opposed
No Abstentions**

b. Approval of proposed 2023 Budget – Projected income/expenses and proposed budget figures were provided for review and explained by Ms. Woodburn. Finance Committee has reviewed proposed budget and made recommendation to full board to approve 2023 budget as presented.

Motion to approve 2023 Budget as presented.

**M. Sauerbrey/H. Murray/Carried
None Opposed
No Abstentions**

c. Accounting Policy Update – The Governance Committee met to review the auditor’s recommendation to update the TCPDC property valuation policy statement. Ms. Woodburn distributed and explained the current and proposed statement.

Motion to amend the TCPDC valuation policy with the proposed statement as recommended by the Governance Committee:

**S. Yetter/H. Murray/Carried
None Opposed
No Abstentions**

- d. Land Bank funding opportunities
i. NYS HCR – Land Bank Initiative (LBI)

1. LBI Phase 1
a. Application for operational funding

Motion to reaffirm the e-mail vote authorizing Ralph Kelsey as Chair to sign and submit an application to NYS HCR for the Land Bank Initiative Phase I program for up to \$100,000 per year over a three-year period for a total of \$300,000.

**S. Zubalsky-Peer/M. Baratta/Carried
None Opposed
No Abstentions**

- b. Award

Motion to reaffirm e-mail vote authorizing Brittany Woodburn to sign the Land Bank Initiative Grant Agreement with the Housing Trust Fund Corporation, as well as authorize acceptance of the awarded grant funds in the amount of \$100,000.

**M. Sauerbrey/S. Yetter/Carried
None Opposed
No Abstentions**

2. LBI Phase 2 – Ms. Woodburn provided an update on anticipated program.

- ii. Restore NY Round VI – Ms. Woodburn stated the submitted application was a special project request and it fit the requirements. Discussion of ownership and property condition ensued, and Ms. Woodburn explained the option agreement was needed to submit the application, and also explained what happens if grant not received.

Motion to reaffirm the email vote to authorize Brittany Woodburn on behalf of the TCPDC to move forward with the following:

- **TCPDC agreeing to act as the project sponsor/sub-recipient for Tioga County’s Restore NY Round VI grant application**
- **TCPDC agreeing to enter into an option for 1 year with current property owners for 48-50 Lake Street, Owego to demonstrate site control**
- **TCPDC agreeing to provide 10% match commitment (\$371,000)**

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

- iii. Mother Cabrini Health Foundation – LOI was not accepted this round.

- e. Re-appointments for 2023 – M. Sauerbrey, S. Yetter, R. Kelsey, D. Astorina are all up for reappointment to the board. All expressed interest in continuing to serve.

- f. Preliminary discussion regarding Slate of Officers for 2023 – Ms. Woodburn stated who currently filled the officer positions. R. Kelsey stated that any officer not wishing to continue in their role shall inform S. Yetter, Chair of the Governance Committee.

g. Discussion of 2023 Annual and Regular meeting schedule, tentatively set quarterly on the 4th Wednesday of the months – R. Kelsey suggested meeting every other month due to the growth and activity of the TCPDC and the numerous decisions that need to be made.

Motion to modify the quarterly meeting schedule to bi-monthly schedule – January, March, May, July, September, November:

P. Ayres/S. Yetter/Carried

None Opposed

No Abstentions

P. Ayres stated he will not run for re-election for Village of Waverly Mayor and inquired how that might affect his status on this board. The current by-laws allow for 2 at-large members. Further discussion is needed to determine whether by-laws will be amended.

h. 2022 Annual Evaluation of Board Performance – Ms. Woodburn stated that Mrs. Warfle will be sending out this confidential evaluation in the near future.

5. Chairman’s Remarks

Motion to enter into Executive Session pursuant to Public Officers Law Section 105 at 5:17 pm to discuss staff review:

P. Ayres/H. Murray/Carried

None Opposed

No Abstentions

Motion to adjourn Executive Session at 5:23 pm:

D. Astorina/P. Ayres/Carried

None Opposed

No Abstentions

Motion to provide B. Woodburn with the title of Executive Director of the TCPDC:

M. Sauerbrey/S. Yetter/Carried

None Opposed

No Abstentions

The Board thanked and recognized Ms. Woodburn for her work with the Tioga County Property Development Corporation.

3. f. Update on 2022 V. Owego an V. Newark Valley acquisitions (agenda item was tabled until now) Asbestos Testing – 5 proposals were received for asbestos testing related to demolition of 98 Fox Street, 247 Main Street and 94 Spencer Avenue.

- O’Rourke - \$6,925
- Delta - \$13,555
- Keystone \$4,126.50
- SJB Services - \$7,070
- LaBella - \$12,700

Motion to approve Keystone as the lowest responsible bidder to perform the environmental services for 98 Fox Street, 247 Main Street and 94 Spencer Avenue in Owego.

S. Zubalsky-Peer/H. Murray/Carried

None Opposed

No Abstentions

98 Fox Street – Village of Owego has authorized Mayor Baratta to sign a MOU agreeing to cover half of the demolition cost, including environmental fees, up to \$20,000. They have also agreed to take ownership of the property after the demolition is complete.

94 Spencer Avenue – Village of Owego has authorized Mayor Baratta to sign a MOU agreeing to cover half of the demolition cost, including environmental fees, up to \$15,000.

Motion to authorize Brittany Woodburn to sign Memorandum of Understanding between Village of Owego and TCPDC for 98 Fox Street and 94 Spencer Avenue in Owego.

D. Astorina/S. Yetter/Carried

None Opposed

M. Baratta Abstained

Motion to enter into Executive Session pursuant to Public Officers Law Section 105 at 5:25 pm to discuss sale of real property and finances of TCPDC:

P. Ayres/S. Yetter/Carried

None Opposed

No Abstentions

Motion to adjourn Executive Session at 5:40 pm:

P. Ayres/S. Yetter/Carried

None Opposed

No Abstentions

Motion to authorize the reimbursement of the foundation work for 437 Front Street up to \$36,000 to Fleicher Properties LLC.

S. Yetter/P. Ayres/Carried

None Opposed

No Abstentions

Motion to authorize the sale of 437 Front Street in Owego to Fleicher Properties, LLC in the amount of \$5,000.

D. Astorina/P. Ayers/Carried

None Opposed

No Abstentions

Motion to authorize the sale of 58 Whig Street in Newark Valley to Scott Kasmarcik, Philip Nedlik and Michael Kasmarcik in the amount of \$7,000.

P. Ayres/D. Astorina/Carried

None Opposed

S. Yetter Abstained

Meeting adjourned at 5:42 pm.

Respectfully Submitted,

Karen Warfle, OSII