



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

**Wednesday, October 23, 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 5:30p.m. with seven board members in attendance. Mr. Astorina arrived at 5:52 p.m.
2. Attendance:
 - a. Board of Directors: Martha Sauerbrey (Chair), Patrick Ayres (Deputy Chair), Michael Baratta (Secretary), Ralph Kelsey (Treasurer), Stuart Yetter, Christina Brown, George Williams, and David Astorina
 - b. Staff: Teresa Saraceno, Cathy Haskell
 - c. Excused: Lesley Pelotte
 - d. Absent: None
 - e. Guests: Matt Freeze, Morning Times Reporter (departed @ 6:10 p.m.)
3. **Old Business**
 - a. **Approval of September 25, 2019 Board of Directors Meeting –**

Chair Sauerbrey requested a motion to approve the September 25, 2019 Board of Directors Meeting minutes.

Motion to accept approve the September 25, 2019 Board of Directors Meeting minutes as written.

**S. Yetter/P. Ayres/Carried
None Opposed
Abstentions – None**
 - b. **Status of Board of Directors (Required Trainings) –**

Ms. Saraceno reported the New York State Authorities Budget Office mandates ABO Board member training. Ms. Saraceno identified Board members M. Baratta, P. Ayres, D. Astorina and G. Williams still need to complete this training and were encouraged to register for the next upcoming online training. Ms. Saraceno reported Mr. Williams registered for the November 20, 2019 training session and Mr. Baratta is registered for the November 6, 2019 session.

In addition, all Board members are required to complete annual Sexual Harassment Prevention training along with policy review attestation and financial disclosure forms.

ACTION: Ms. Saraceno will email Board members who still need to complete the required trainings.

UPDATE: Ms. Saraceno sent an email reminder to all outstanding members.

4. New Business

- a. Discussion and adoption of TCPDC Side Lot Program** – Ms. Saraceno reported this program is designed to support the sale of TCPDC Land Bank property and development activities, which further the TCPDC mission and purpose. This program will also promote returning the property to its highest and best use while putting the property back on the tax rolls.

Ms. Saraceno identified the following specific eligibility criteria that must be met in order to participate:

- Own adjacent property to the interested lot;
- Compliance with local building and zoning regulations;
- Current on all real estate taxes and assessments and not involved in a foreclosure proceeding;
- Maintain lot in accordance to all local building and zoning codes;
- Present a detailed plan for use of the property with a rehabilitation or maintenance plan in place;
- Present evidence of proof of funds for property acquisition;
- Submission of an application and \$25.00 refundable deposit.

Ms. Saraceno reported letters sent to the neighboring properties seeking potential interest. The Board will need to develop a process for accepting applications, entertaining offers, and approving purchase offers. Ms. Saraceno reported appraisals have been obtained for each property.

Motion to adopt a TCPDC Side Lot Program.

**P. Ayres/S. Yetter/Carried
None Opposed
Abstentions – None**

b. Adoption of TCPDC Disposition Policy –

Ms. Saraceno reported TCPDC needs to establish and adopt a Disposition Policy. Ms. Saraceno presented a Disposition Policy that is in use with another Land Bank and approved by our legal counsel.

Mr. Kelsey reported, in light of this policy, does TCPDC intend to notify the public that lots are available for purchase. If so, Mr. Kelsey inquired as to whether the presented policy identifies the notification process. Mr. Kelsey further inquired as to whether notification is a one-time advertisement or does the policy indicate a mandatory number of advertisements required, newspaper designation, and posting requirement.

Chair Sauerbrey reported she would like clarification as to whether TCPDC has to operate the same as IDA's.

ACTION: Ms. Saraceno will confirm with attorney, Joe Meagher, regarding advertisement requirements, property sale promotion, and receive clarification regarding operation of TCPDC is similar to IDA's.

UPDATE: Ms. Saraceno sent an email to attorney, Joe Meagher. Waiting on response.

In addition to newspaper publication, Ms. Saraceno reported property sale promotion would occur through the website, property signage, press release, legal notice, and letters to neighboring property owners (Side Lot Program). Ms. Saraceno reported a RFP was sent to regional realtors, developers, and contractors seeking potential interest. Ms. Saraceno reported a press release was sent to the Press & Sun-Bulletin, Morning Times, and Owego Pennysaver.

Mr. Williams inquired as to whether Quick Claim Deeds or abstracts will be done for these properties. Ms. Saraceno reported all properties would be sold through Quick Claim Deeds. Mr. Williams reported a Quick Claim Deed with an abstract would attract a higher selling price.

Motion to adopt the TCPDC Disposition Policy, contingent upon legal review and approval of newspaper posting and designation.

P. Ayres/R. Kelsey/Carried

None Opposed

Abstentions – None

UPDATE: Ms. Saraceno sent an email to attorney, Joe Meagher. Waiting on response.

c. Side Lot Purchase Application for 530 E. Chemung Street, Waverly, NY. -

Ms. Saraceno reported she received a Side Lot Program Purchase Application with a purchase offer of \$1,200 from a neighboring property owner for 530 E. Chemung Street, Waverly, NY. The application indicates purpose for property acquisition is for installation of driveway for existing business and create road frontage visibility, along with adding signage, with the hopes of growing their family business. In addition, a manicured lawn and landscaping would be created. Ms. Saraceno reported property was acquired from the County for \$1.00 and, to date, has a total investment of \$18,990.

Ms. Saraceno reported she only sent letters to the adjacent property owner for this property. Question raised whether notification to the public is required for a Side Lot Program property.

Mr. Williams inquired as to whether this property is large enough for another business to be interested in possible development, therefore, not necessarily a Side Lot Program property. Ms. Saraceno reported this property is zoned industrial with houses on either side of the property and this particular business is located behind this property.

Mr. Ayres reported this is an initial offer and believes the offer is too low. Mr. Ayres reported TCPDC is just starting this process and believes we should entertain more offers and is too early in the process to accept an offer at this time. Mr. Ayres reported this property is relatively close to Route 17c and William Donnelly Parkway and could attract additional interest. Going forward, Mr. Ayres reported all property acquisition and purchase offer discussion needs to occur in Executive Session.

Mr. Yetter reported he believes TCPDC should entertain offers for at least the appraised market value. Ms. Saraceno reported appraised market values have not been disclosed.

Ms. Saraceno reported she received this purchase offer from their attorney and inquired how the Board wanted to respond. The Board agreed Ms. Saraceno should contact the attorney indicating the offer has been received noting the Board is not prepared to accept offers at this time.

UPDATE: Ms. Saraceno sent an email response to their attorney. Waiting on response.

The Board expressed Ms. Saraceno should publish a public notice indicating the TCPDC is accepting purchase offers and list the property locations. Chair Sauerbrey reported there is no harm in doing a press release to the public regarding available properties for sale.

ACTION: Ms. Saraceno will prepare a press release announcing properties are available for sale.

UPDATE: Ms. Saraceno prepared a press release announcing properties are available for sale.

Mr. Williams inquired as to whether the Board wanted to entertain offers or set a minimum purchase price for each property.

Mr. Yetter suggested establishing a minimum bid offer for each individual property. Mr. Yetter reported the Disposition Policy indicates TCPDC can accept well below the market value if it proves of value to the overall community.

Ms. Saraceno reported property for sale signage would be placed on all properties next week.

d. Discussion of Sale of Properties –

Ms. Saraceno reported attorney, Joe Meagher, has confirmed Quit Claim Deeds on properties and draft Contract for Sale are in order and the promotion and sale of properties process can move forward.

Ms. Saraceno reported the following actions are or will be taken to promote sale of properties:

- Placement of Property for Sale signage at each property;
- Side Lot Program letters, information, and applications mailed to neighboring property owners to gauge interest in purchasing TCPDC properties. Further discussion on each individual property will transpire once responses and applications are received;
- Press Release sent to regional media regarding properties are available for development/sale;
- Legal Ad published to promote properties to developers, contractors and realtors;
- TCPDC Property and Project Inventory List updated and posted on the website.
- Press release to the public.

e. 4th Quarter 2019 Disbursement Request from Enterprise Community Partners, Inc. –
Ms. Saraceno reported the 4th Quarter 2019 Disbursement Request has been submitted and approved for \$94,976.33 and should be received in 2-3 weeks. This request does not include funding for environmental remediation of 35 Lincoln Street and 207 Howard Street, Waverly, NY. Ms. Saraceno reported consideration for any additional funding within the Q4 2019 could be made once actual remediation costs are determined. Ms. Saraceno provide a project program budget for the next five quarters, as well as an expenditure report for the first three quarters.

f. Hakes Lawn Care –

Ms. Saraceno reported Hakes Lawn Care was the lowest bidder, therefore, chosen to clear out 35 Lincoln Street and 207 Howard Street, Waverly, NY for preparation of environmental consulting services/testing and renovation once funding is available.

UPDATE: 207 Howard Street, Waverly, NY clear out was completed on 10/30/19 and Keystone Environmental Services has been notified. 35 Lincoln Street, Waverly, NY will be cleared out by end of next week.

g. Keystone Environmental Services –

Ms. Saraceno reported Keystone Environmental Services submitted a proposal for environmental consulting services/testing needed for 207 Howard Street (\$3,567.20) and 35 Lincoln Street (\$3,651.20). Estimated cost for any needed remediation will be provided. Keystone Environmental Services is ready to move forward once funding is available and clearing of properties is completed. Ms. Saraceno reported once Keystone Environmental Services can access the properties estimated remediation costs would be provided.

Ms. Saraceno reported a demolition and environmental services bid package for 429 Chemung Street has been drafted and is included in the 4th quarter figures. Ms. Saraceno reported this is a high visibility project and the neighbor has already expressed interest in the lot. Ms. Saraceno reported the utility shutoff has been done for this property.

h. Renovation Bid Packages –

Once environmental services are completed and remediation costs are available. Going forward, Ms. Saraceno reported bid packages for renovation of 207 Howard Street and 35 Lincoln Street properties will be drafted in anticipation for receipt of additional funding.

i. Options for Coordination of Rehabilitation -

Ms. Saraceno reported options for coordination of rehabilitation for 35 Lincoln Street and 207 Howard Street, Waverly, NY are being prepared. Ms. Saraceno reported either architect or engineer could coordinate a project of this nature as a "Clerk of the Works". Ms. Saraceno reported she received two renovation estimates from NuWave Construction primarily for budgetary purposes, however will still need to go through the bid process and must receive prior to environmental and remediation proposals. Ms. Saraceno reported TCPDC does not currently have enough funds to proceed with renovation at this time, however, Ms. Saraceno will be eligible to apply for funds in January 2020. Ms. Saraceno reported the initial timeframe for application of funds was October 2019, however, this has been postponed to January 2020.

j. Audit Committee Meeting – Ms. Saraceno reported she would need to have the Audit Committee review the bids for the annual audit. Ms. Saraceno reported she sent RFP's to Bonadio Group, EFPR Group, Insero, Inc., and Johnson, Lauder & Savidge. Ms. Saraceno reported Johnson, Lauder, & Savidge expressed non-interest, however, the other three auditing firms are submitting bids.

ACTION: Ms. Saraceno will send an email meeting notification to the Audit Committee members to schedule a meeting.

UPDATE: After discussion with Treasurer Kelsey, Ms. Saraceno sent an email to the Audit Committee, including attachment of three proposals, to review and if they concur with Bonadio Group. The lowest cost was \$10,000 for 2019-2020. Per Procurement Policy, professional contracts up to \$10,000 can be approved by the Board Treasurer or Chair. Both the Treasurer and Chair concur to move ahead with Bonadio Group.

k. Board Re-Appointments – Ms. Saraceno reported Board terms for M. Sauerbrey, G. Williams, R. Kelsey, M. Baratta, and P. Ayres are expiring as of December 31, 2019 and inquired if everyone was interested in reappointments. All members are willing to serve another term.

ACTION: Ms. Saraceno will prepare and submit resolutions to the Legislature in November for reappointments of M. Sauerbrey, G. Williams, R. Kelsey, M. Baratta, and P. Ayres for another term.

l. ABO Report – Ms. Saraceno reported she would be submitting the ABO report this month to maintain compliance with the ABO requirement.

ACTION: ABO Budget Report due prior to October 31, 2019.

UPDATE: Ms. Saraceno submitted the ABO Budget Report on October 29, 2019.

m. Financial Reports/Balance Sheet – Ms. Saraceno reported the balance sheet does not show any TCPDC properties that we now hold as assets. Ms. Saraceno reported she is working with Jan Nolis regarding the breakdown of expenditures for each property.

ACTION: Financial Reports/Balance Sheet will be a standing agenda item for every meeting for Board review and acknowledgment.

5. **Chairman's Remarks** – Chair Sauerbrey expressed appreciation for everyone being on the Board and their patience as we go through the process of selling properties.
6. **Next Regular Board Meeting** – The next regular scheduled meeting is Wednesday, January 22, 2020, at 5:30 p.m. in the ED&P Conference Room.
6. **Adjournment** – Mr. Ayres motioned to adjourn at 6:37 p.m.

Respectfully submitted,

Cathy Haskell