



TCPDC

TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION

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**Tioga County Property Development Corporation
Board of Directors Phone Conference Meeting Minutes**

Wednesday, July 22, 2020

12:30 p.m.

Ronald E. Dougherty County Office Building

Legislative Conference Room, Room #106

56 Main Street, Owego, NY 13827

1. Call to Order: Chair Sauerbrey called the meeting to order at 12:30 p.m. with Ms. Sauerbrey, Mr. Ayres, Mr. Yetter, and Mr. Williams attending in-person and Mr. Baratta, Ms. Brown, Mr. Astorina joining at 12:39 p.m. and Ms. Pelotte participating via phone conference with Mr. Kelsey excused.
2. Attendance:
 - a. Board of Directors: Martha Sauerbrey (Chair), Patrick Ayres (Vice-Chair), Christina Brown, Stuart Yetter, Lesley Pelotte, George Williams
 - b. Staff: Teresa Saraceno, Cathy Haskell
 - c. Excused: Ralph Kelsey (Treasurer),
 - d. Absent: Mr. Astorina (joined call @ 12:39 p.m.)
 - e. Guests: None
3. **Old Business**
 - a. **Approval of May 27, 2020 Board of Directors Meeting Minutes –**
Chair Sauerbrey requested a motion to approve the May 27, 2020 Board of Directors Meeting minutes.
Motion to approve the May 27, 2020 Board of Directors Meeting minutes, as written with Mr. Kelsey being excused and Mr. Astorina being absent.

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

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b. Acknowledgement of May and June 2020 Profit & Loss Statements and Balance Sheets –

Chair Sauerbrey requested acknowledgement of the May and June 2020 financial statements, as presented.

Motion to acknowledge the May and June 2020 financial statements, as presented with Mr. Kelsey being excused and Mr. Astorina being absent.

**S. Yetter/G. Williams/Carried
None Opposed
Abstentions – None**

c. Discussion of Status of 3rd Quarter 2020 Disbursement Request -

Ms. Saraceno reported the 3rd Quarter 2020 Disbursement Request is still being finalized. Ms. Saraceno is meeting with Enterprise Community Partners, Inc. tomorrow. Ms. Saraceno reported budget reflects the proposed projects and based on worst-case scenarios in regards to property acquisition costs for 3rd and 4th Quarter 2020.

d. Approval and Affirmation of Contracts for Sale for 35 Lincoln Street and 108 Park Place, Waverly, NY –

Ms. Saraceno reported two applications are included in today's meeting packet for properties located at 35 Lincoln Street and 108 Park Place in Waverly, NY. Based on the email vote, Ms. Saraceno reported the sale of these properties were approved and in process. Ms. Saraceno anticipates the closing of 108 Park Place, Waverly, NY this week and 35 Lincoln Street, Waverly, NY to follow in the next couple of weeks.

Motion to re-affirm the email vote for the sale of 35 Lincoln Street and 108 Park Place, Waverly, NY with Mr. Kelsey being excused and Mr. Astorina being absent.

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

4. New Business

a. Approval of TCPDC Internal Controls Policy including Prohibiting Extension of Credit to Board Members and Staff –

Ms. Saraceno reported the Governance, Finance, and Audit Committees met just prior to this meeting and recommended approval of the newly established Internal Controls Policy based on recommendations by the Authorities Budget Office (ABO) and auditors. Ms. Saraceno reported TCPDC accountant, Jan Nolis, has reviewed and approved.

Motion to approve the TCPDC Internal Controls Policy, as presented and recommended by the Governance, Finance, and Audit Committees with Mr. Kelsey excused and Mr. Astorina being absent.

**P. Ayres/L. Pelotte/Carried
None Opposed
Abstentions – None**

b. Resolution #1-2020: Approval of Recommendation by Committee of Review of TCPDC Policies and Guidelines –

Ms. Saraceno reported the Governance, Finance, and Audit Committees met just prior to this meeting and unanimously recommended the TCPDC Policies and Guidelines, as established.

Motion to adopt Resolution #1-2020 approving the recommendation by the Governance, Finance, and Audit Committees for the TCPDC Policies and Guidelines, as established, with Mr. Kelsey excused and Mr. Astorina being absent.

**P. Ayres/G. Williams/Carried
None Opposed
Abstentions – None**

c. Approval of Modified Administrative Services Agreement through June 30, 2021 –

Ms. Saraceno reported this is inclusive of the modified grant received for the additional \$560,000, therefore requiring the extension of the original agreement with Tioga County and Tioga County Economic Development and Planning through June 30, 2021. Ms. Saraceno reported the Tioga County Legislature approved this agreement with a recently adopted resolution, which is included in today's meeting packet. Mr. Ayres inquired about the fee of \$8,132.12 for an overall approximate administrative agreement cost of \$32,000. Ms. Saraceno reported this fee amount is per quarter and is reflective of only two quarters for an overall administrative agreement cost of \$16,264.24. Ms. Saraceno reported this amount is reflected in the budget through June 2021.

Mr. Astorina joined the meeting at 12:39 p.m. via phone conference.

Motion to approve the Modified Administrative Services Agreement through June 30, 2021, as presented with Mr. Kelsey excused.

**S. Yetter/G. Williams/Carried
None Opposed
Abstentions – None**

d. Update of Sale of Properties and Status of Available Properties to Date –

Ms. Saraceno reported the Real Property and Project Inventory document is included in today's meeting packet. This document details that all properties being sold have closed, with the exception of 108 Park Place and 35 Lincoln Street, Waverly, NY. These properties are in the process of being closed and should be finalized in the upcoming weeks. Ms. Saraceno reported the three remaining properties following the sale of the above-referenced properties include 115-117 Chestnut Street, 117 Liberty Street, and 39-41 Temple Street in Owego, NY. Ms. Saraceno reported the Liberty and Temple Street properties are involved in the INHS proposed development. Ms. Saraceno reported the only property at hand is 115-117 Chestnut Street, Owego, NY. Ms. Saraceno received interest from a neighbor on this property; however, funding is not in place to proceed at this time. Ms. Saraceno reported if INHS continues up Liberty Street with townhomes then it is possible the Owego-

Apalachin Central School District will be interested through their Builder's Trade Program for the development of a new small home.

Ms. Saraceno recommended holding on to all three properties versus continued promotion to sell.

Mr. Yetter recommended waiting until it is known what development will occur on Temple and Liberty Streets, Owego, NY. Mr. Baratta concurred.

Mr. Ayres reported TCPDC is very close to all the Waverly properties being sold and returned to the property tax rolls, therefore, suggested it would be advantageous for TCPDC to do a press release and progress report outlining the accomplishments of the number of demolished blighted properties and number of properties sold to private owners for rehabilitation, etc. Mr. Ayres reported this is good publicity and shows that TCPDC has done what we set out to do. Mr. Ayres reported this would clarify any misconceptions regarding our mission and intent. Mr. Ayres reported the intangible part that is hard to quantify is the improvement and the quality of life in the designated neighborhoods.

ACTION: Ms. Saraceno will draft a press release for Board review following the sale of the last properties.

e. Discussion of Status of Purchase of Properties –

Ms. Saraceno reported purchase of properties is in the negotiation phase. Mr. Ayres reported the Finance Committee recommended consent to the Board of Directors for negotiations to commence in excess of \$15,000 for the Temple and Liberty Street properties.

Motion to accept the Finance Committee's recommendation to the Board of Directors to consent to negotiations commencing in excess of \$15,000 for the Temple and Liberty Street, Owego, NY properties with Mr. Kelsey being excused.

**M. Sauerbrey/P. Ayres/Carried
None Opposed
Abstentions - None**

f. Approval and Reaffirm Tenant Relocation Plan and Agreement –

Ms. Saraceno reported the draft Tenant Relocation Plan and Agreement is included in today's meeting packet. Ms. Saraceno reported when purchase agreements are in place for the Temple Street, Liberty Street, and North Avenue properties we will need to proceed with relocation of tenants. INHS, Tioga Opportunities, Inc. and TCPDC Attorney Meagher have reviewed this agreement. Ms. Saraceno reported INHS and Tioga Opportunities, Inc. would be spearheading this effort, which is included in the budget. Ms. Saraceno reported the relocation process would take a minimum of 90 days via the NYS Tenant Protection Laws. Ms. Saraceno reported INHS and Tioga Opportunities, Inc. would assist the current tenants with locating new housing and moving expenses. These costs are included in the budget and included in the modified funding received in the 4.2 Work Plan approved by Enterprise Community Partners, Inc.

Under the Relocation Assistance heading, Mr. Ayres reported it states that actual and reasonable moving expenses of personal property as determined by Tioga Opportunities, Inc. will be compensated. Ms. Saraceno reported relocation must be deemed reasonable with a maximum amount per unit. Mr. Ayres reported this does not clarify this in the agreement, therefore, suggested adding language to the draft document for clarification purposes. Mr. Yetter reported there is no maximum amount identified and states average costs per unit.

Mr. Williams suggested putting a distance radius with the option for an appeal process for extenuating circumstances. Mr. Ayres reported he is not in favor of Tioga Opportunities, Inc. approving the relocation costs based on their determination of what is reasonable, as these are TCPDC funds. Ms. Saraceno reported TCPDC will be receiving invoices for payment of these costs and is not going to be beyond the average costs. Ms. Saraceno suggested adding additional language for maximum cost per unit. Ms. Pelotte reported TCPDC does not have oversight on our funding, based on the document stating determination will be made by another organization. Chair Sauerbrey reported if TCPDC enters into an agreement with Tioga Opportunities, Inc. then this becomes their responsibility and we will need to trust they will do what is in the best interest of the tenant, as well as TCPDC.

Ms. Saraceno reported we are hiring Tioga Opportunities, Inc. and INHS to work on this and do the relocation of the tenants. Mr. Ayres reported he would like to have TCPDC have some approving authority to determine whether the amount deemed by Tioga Opportunities, Inc. is indeed reasonable.

Mr. Astorina inquired as to whether there is an approximate figure for local moving costs. Ms. Saraceno reported the amounts were determined by INHS who has done this type of work in the past and felt they were reasonable for local moves. For non-local moves, there is nothing prohibiting a tenant from moving closer to family, however, Ms. Saraceno reported there is a maximum amount regardless. Mr. Ayres reported he would like language added that clarifies the maximum amount for relocation regardless of it is local or non-local.

Chair Sauerbrey reported many of these tenants' housing is paid for through the Department of Social Services. Out of respect, TCPDC needs to communicate with the Commissioner of Social Services so he is aware that his clientele is going to be relocated. Chair Sauerbrey further reported an expressed concern as to whether these tenants will be able to find affordable housing within the village to maintain walking accessibility to services.

Mr. Yetter reported anyone in subsidized housing should have the Department of Social Services included in the process.

Mr. Ayres suggested TCPC request information from Department of Social Services that would be inclusive to meet their needs in this process.

Mr. Yetter inquired as to whether TCPDC Attorney Meagher has reviewed the document for compliance with any Fair Housing Standards.

Ms. Saraceno reported some of the relocation fees will be less than others and INHS calculated average costs up to \$1,986 per unit.

Chair Sauerbrey inquired about the total number of units that will require relocation services. Ms. Saraceno reported there are 29 units and most are currently occupied. Mr. Williams inquired as to whether these tenants will be eligible to move back when the project is completed. Ms. Saraceno reported overall completion is approximately two years and the tenants will need to meet the established criteria for the new housing and complete the application process.

Mr. Baratta expressed his concern is centered on public relations when INHS and Tioga Opportunities, Inc. notifies the current tenants of having to relocate, as this could give a negative perception. Ms. Saraceno reported the Plan and Agreement identifies the process for tenant notification. Ms. Saraceno reported the objective is to find better housing opportunities for these individuals.

Ms. Pelotte inquired as to whether the Village of Owego has housing stock to absorb individuals/families from these 29 units. Ms. Sauerbrey reported this could be a challenge as we move forward.

Ms. Pelotte reported since this project is government-funded it may deter property owners from wanting to accept housing assistance on behalf of the tenants to avoid restrictions placed on them. This could create an additional challenge in the relocation process.

Mr. Ayres reiterated we should be engaging in conversation with the Department of Social Services now, as there could be other unknown involvements with these families. In addition, the Department of Social Services may have resources to assist with the process such as a list of property owners that would accept housing assistance, etc. Ms. Brown reported Tioga Opportunities, Inc. is in charge of the Section 8 rental assistance program and we have a list of all property owners that accept this type of assistance, as well as an established relationship with the Department of Social Services, as they work in conjunction with many of our existing clients.

Ms. Saraceno reported the document was initially drafted by INHS and reviewed by Attorney Meagher.

Ms. Saraceno reported the following suggestions would be made to the draft policy, based on TCPDC Board of Directors recommendations:

1. Maximum allowed amount for re-location services regardless of local or non-local relocations.
2. Communication with Department of Social Services initially and throughout this process.
3. Tioga Opportunities, Inc. and INHS will cooperate and inform all involved agencies.
4. Dates will be contingent upon when the purchase agreements are in place.
5. To address the potential for a slight amount above the established maximum, a clause will be added stating Tioga Opportunities, Inc. will determine the amount to be approved by the TCPDC Board. This allows the TCPDC Board to have oversight and final approval.

ACTION: Ms. Saraceno will revise and email the draft Tenant and Relocation Plan and Agreement document with the changes discussed and outlined above for Board review.

5. **Next Regular Meeting** – Wednesday, October 28, 2020
6. **Adjournment** – Mr. Williams motioned to adjourn at 1:15 p.m.

Respectfully submitted,

Cathy Haskell