

A regular meeting of the Broome County Land Bank Corporation was convened in public session in the Exhibit Room in the Broome County Public Library on Tuesday, December 13, 2022 at 3:30 p.m., local time.

The meeting was called to order by a Director of the Corporation and the following Directors of the Corporation were:

Present: T. Abdelazim T. Augostini, R. David, K. Davis, C. Dziedzic, A. Martin, C. Marchuska,  
Absent: M. Decker, M. Sopchak  
Staff: J. Haas  
CAP: M. Callahan  
Other: G. Doherty, P. Rauch

1. Call to Order: Chairman Martin called the meeting to order at 3:30 p.m.

2. Approval of Minutes: Chairman Martin asked for a motion to approve the minutes from the October 25, 2022 Board Meeting. On a motion by C. Dziedzic, seconded by C. Marchuska, motion carried unanimously.

3. Chairman's Remarks: Chairman Martin did not make any remarks.

4. Executive Director's Report and Financial Statement: J. Haas presented updates on the following items:

NYS OAG/Enterprise Rehab projects:

33 Linden St: J. Haas stated that she has been working closely with First Ward Action Council (FWAC) and the City in regards to the language of the note and mortgage requirements for the sale and that the closing should be taking place very soon.

15 Birch St: J. Haas stated that the City of Binghamton issued a Certificate of Occupancy, and that after discussions with FWAC and the Land Bank's realtor, Mike Rizzo, it was decided that the property would be listed for \$85,000 and there would be a press conference announcing the opportunity early the following week.

Demolition Projects: J. Haas reminded the Board that properties at 179 Floral Ave in the Village of Johnson City and 10137 NYS Rt. 79 in the Town of Lisle are slated for demolition early next year. She expressed that there are several items on today's agenda to add to this demo round.

CDBG Projects: J. Haas reminded the Board that L2 Studios provided the drawings, drafted the bid package and assisted in the bidding process for foundation reconstruction at 1593 Oakdale Road in the Town of Maine. She further stated that the bid was open for three weeks and two bids were received from Dan Brown Construction (DBC) and Marchuska Brothers. DBC was determined to be the lowest qualified bidder and was below the Land Bank's engineer estimate. She then informed the Board that

during a recent conference call with the New York State Department of Homes & Community Renewal (DHCR), she was made aware that the subrecipient agreement originally suggested by DHCR and ultimately executed between the Land Bank and the County is not appropriate for the program proposed in the grant application, but that the Land Bank should be operating as a Developer. DHCR advised that the County and the Land Bank temporarily pause all project activities until a developer's agreement can be drafted by DHCR and executed between the Land Bank and the County. She was hopeful that the situation could be resolved quickly, but notified the Board that she has issued formal notices to SEPP Group and L2 Studios to temporarily pause/stop all professional services as of December 6, 2022. She also mentioned that the Land Bank may need to rebid for foundation reconstruction and at the advice of Paul Nelson, would notify the low bidder that we will not be awarding at this time due to the circumstances. J. Haas then stated that two trees located at 313 Marion Street in the Town of Vestal needed to be removed as soon as possible based upon a Certified Arborist opinion and that Cook's Tree Service was the lowest quote received by the Land Bank. She issued a notice to proceed and entered into a contract with Cook's before DHCR's verbal stop work order was issued, and the trees were removed. She also mentioned that DHCR will consider an extension request due to the circumstances.

City of Binghamton ARPA Projects: J. Haas reminded the Board that the Land Bank currently has 52 Beethoven Street, 34 Andrews Avenue, 61 Park Avenue, and 21 Walnut Street to include in the City's ARPA program as rehabilitation projects. She reminded the Board that she had issued a notice to proceed to Keystone for lead, asbestos and radon testing at 34 Andrews Ave and 52 Beethoven Street. The Land Bank has since received the reports for 34 Andrews Ave and Keystone began their testing at 52 Beethoven St. She notified the Board that she has asked Hawk's Haven to clean out 61 Park Ave and 21 Walnut St in order to move on to the next step of environmental testing. J. Haas reminded the Board that she and Chairman Martin have discussed possibilities for the property at 21 Walnut Street. They have been exploring the idea of doing another project like 3 King Avenue but need to work through the specifics of what that would entail. She also mentioned that in order to achieve the expected deliverables of the agreement with the City, the Land Bank needs to acquire four rehabilitation properties from the 2020 book of City property tax foreclosures. She expressed to the Board that she intends to work closely with the Mayor on the list.

Broome County ARPA Projects: J. Haas reminded the Board that the Land Bank executed an agreement with Broome County for \$300,000 in ARPA funds for the Land Bank's demolition program. The Land Bank still has funds remaining in its CRI grant. She notified the Board that she anticipates spending down this amount and tapping into the County's ARPA grant in the upcoming round of demolition projects.

HCR Land Bank Initiative – Operating Funds: J. Haas reported to the Board that the Broome County Land Bank was one of the first Land Banks to be under contract with DHCR for the Land Bank Initiative Phase I funding. The Broome County Land Bank was awarded their full request of \$200,000 in operating funds and the first disbursement request was approved and wired in with no problems. J. Haas mentioned that bids came back for external third-party accounting services, with seven proposals being received. An ad hoc committee consisting of herself, Chairman Martin and Board members Chris Dziedzic and Mike Sopchak reviewed and evaluated all proposals, and the ad hoc committee's recommendation for award is included in today's agenda. J. Haas also mentioned that responses came back for website design services and 12 proposals were received. As with the accounting services, she will be looking for an ad hoc committee to review proposals and select a firm to contract with. J. Haas also reminded the Board that she anticipates finalizing and issuing an RFQ for professional Strategic Planning services as the current Strategic Plan is approximately seven years old.

Lastly, J. Haas reminded the Board that DHCR intends to release the LBI Phase II Capital funds RFA once every Land Bank is under contract for the first round. Land Banks were told that DHCR would be releasing Phase II toward the end of October, but it is her understanding that several Land Banks

are not under contract yet for the first round. She is unsure of the timeline of the RFA release. She has been told that this round will be competitive.

**Administrative/Housekeeping Items:** J. Haas mentioned that the Land Bank's intern, Adam, had finished his internship with the Land Bank. She also informed the Board that based upon a few budgetary items that there most likely would be a Finance Committee meeting directly preceding the January Board meeting next month, which would include amending the professional accounting services agreement, adjusting Land Bank staff fringe benefits based upon final figures, and amending the agreement with DHCR for Land Bank Initiative Operating funds. J. Haas stated that she would provide an update on Land Bank staffing during Executive Session.

J. Haas closed with the financial report.

5. Public/Community Advisory Panel Comments: Chairman Martin opened the floor for comments. M. Callahan expressed that going into the New Year she would be in favor of the Land Bank involving the community in capital projects. J. Haas and the Board of Directors were supportive of M. Callahan's suggestions.

6. Resolution Authorizing the Acquisition of Properties from Broome County (Resolution 2022-19): J. Haas listed four properties to be acquired in "Exhibit A": 25 N. Baldwin Street in the Village of Johnson City, 126 Second Street in the Village of Deposit, 119 Oak Hill Avenue in the Village of Endicott, and 6400 NYS Rt. 79 in the Town of Fenton. All properties are intended to be demolished using remaining CRI funds and potentially some ARPA funds from the Land Bank's award from Broome County. The acquisition price of each property is \$1. Chairman Martin thanked the County Executive's Office and Legislature for working with the Land Bank to identify these properties for demolition. Chairman Martin then requested a motion to approve the acquisition of properties from Broome County. On a motion by R. David, seconded by C. Marchuska, motion carried unanimously.

7. Resolution to Approve a Proposed Demolition Project – 25 North Baldwin Street, Village of Johnson City (Resolution 2022-20): J. Haas briefed the Board on where the property is located and what kind of condition exists. The property is located in a largely residential area in the Village of Johnson City. The entire tax parcel is located in a floodplain as well. Village Building & Code Enforcement has structurally condemned the property due to internal and external deterioration of the structure due to the 2006 and 2011 flooding events. J. Haas expressed that she had mailed side lot interest letters to nearby property owners and has received interest in which she intends to discuss during Executive Session. J. Haas concluded with the estimated project budget of \$31,001. Chairman Martin then requested a motion to approve the demolition of 25 N. Baldwin Street in the Village of Johnson City. On a motion by T. Augostini, seconded by T. Abdelazim, motion carried unanimously.

8. Resolution to Approve a Proposed Demolition Project – 126 Second Street, Village of Deposit (Resolution 2022-21): J. Haas briefed the Board on where the property is located and what kind of condition exists. The property is located on a main thoroughfare in the Village of Deposit next to the Fire Department. A portion of the tax parcel is located in a floodplain. Village Building & Code Enforcement has structurally condemned the property due to severe roof damage. J. Haas expressed that the Village's Fire Department is interested in taking title after demolition to expand their parking lot. J. Haas concluded with the estimated project budget of \$30,001. Chairman Martin then requested a motion to approve the demolition of 126 Second Street in the Village of Deposit. On a motion by R. David, seconded by K. Davis, motion carried unanimously.

9. Resolution to Approve a Proposed Demolition Project – 119 Oak Hill Avenue, Village of Endicott (Resolution 2022-22): J. Haas briefed the Board on where the property is located and what kind of condition exists. The property is located in a small business district on the North Side of the Village of Endicott. The structure is severely blighted and has sat vacant for several years. She informed the Board that structural condemnation cannot be determined without entering the building which she intends to do in the New Year. J. Haas expressed that she had mailed side lot interest letters to nearby property owners and has received interest in which she intends to discuss during Executive Session. J. Haas concluded with the estimated project budget of \$39,001. Chairman Martin then requested a motion to approve the demolition of 119 Oak Hill Avenue in the Village of Endicott. On a motion by T. Augustini, seconded by C. Marchuska, motion carried unanimously.

10. Resolution to Approve a Proposed Demolition Project – 6400 NYS Route 79, Town of Fenton (Resolution 2022-23): J. Haas briefed the Board on where the property is located and what kind of condition exists. The property is located directly adjacent to the Susquehanna River in a floodplain. The structures have sat vacant for several years leading to severe blight. Town Building & Code Enforcement has structurally condemned the property due to internal and external deterioration of the structure due to the 2006 and 2011 flooding events. J. Haas expressed that she had mailed side lot interest letters to nearby property owners and has received interest in which she intends to discuss during Executive Session. J. Haas concluded with the estimated project budget of \$24,001. Chairman Martin requested a motion to approve the demolition of 6400 NYS Route 79 in the Town of Fenton. On a motion by T. Augustini, seconded by T. Abdelazim, motion carried unanimously.

11. Resolution Authorizing the Executive Director to Enter into an Agreement with the Village of Johnson City for the Demolition of 25 North Baldwin Street, Johnson City, New York (Resolution 2022-24): J. Haas informed the Board that several weeks prior, she began a conversation with Village of Johnson City Mayor Martin Meaney about the Village's interest in demolishing 25 North Baldwin Street in partnership with the Land Bank. In an effort to expand the Land Bank's partnerships and extend the life of their demolition funds, she was able to work with Mayor Meaney to secure \$3,000 in funding to support this respective demolition project. The Village Trustees and Mayor voted unanimously to allocate these funds to the Land Bank at their December 6<sup>th</sup>, 2022 meeting. J. Haas reviewed the Land Bank's agreement with the Village and recommended approval to the Board of Directors. After a brief discussion, Chairman Martin requested a motion to authorize the Executive Director to enter into an agreement with the Village of Johnson City for the demolition of 25 N. Baldwin Street. On a motion by T. Augustini, seconded by C. Marchuska, motion carried unanimously.

12. Resolution Authorizing the Executive Director to Enter into an Agreement with the Village of Deposit for the Demolition of 126 Second Street, Deposit, New York (Resolution 2022-25): J. Haas informed the Board that several weeks prior, Board member M. Decker informed her that he had a conversation with Village of Deposit Mayor Bryan Moore about the Village's interest in demolishing 126 Second Street in Deposit. J. Haas reached out to Mayor Moore about a potential project partnership with the Village to expand on the Land Bank's current partnership and extend the Land Bank's demolition funds further. \$4,000 in funding was approved unanimously by the Village Trustees and Mayor to assist the Land Bank in the demolition of 126 Second Street. J. Haas reviewed the Land Bank's agreement with the Village and recommended approval to the Board of Directors. After a brief discussion, Chairman Martin requested a motion to authorize the Executive Director to enter into an agreement with the Village of Deposit for the demolition of 126 Second Street. On a motion by T. Abdelazim, seconded by C. Dziedzic, motion carried unanimously.

13. Resolution Authorizing the Executive Director to Enter into an Agreement with the Town of Fenton for the Demolition of 6400 NYS Route 79, Chenango Forks, New York (Resolution 2022-26): J. Haas informed the Board that several months prior, Board member M. Decker informed her that he had a conversation with Supervisor Gary Holcomb about the Town's interest in demolishing 6400 NYS Rt. 79 in Chenango Forks. J. Haas reached out to Supervisor Holcomb about a potential project partnership with the Town to extend the Land Bank demolition funds further. \$3,000 in funding was approved unanimously by the Town Board members to assist the Land Bank in the demolition of 6400 NYS Rt. 79. J. Haas reviewed the Land Bank's agreement with the Town and recommended approval to the Board of Directors. After a brief discussion, Chairman Martin requested a motion to authorize the Executive Director to enter into an agreement with the Town of Fenton for the demolition of 6400 NYS Rt. 79. On a motion by C. Marchuska, seconded by T. Augostini, motion carried unanimously.

Chairman Martin suggested that agenda items 16-18 be considered prior to items 14 and 15. The Board was in agreement.

14. Resolution to Approve Mondorf & Fenwick PLLC for a One-Year Professional Accounting Service Contract (2022-28): J. Haas reminded the Board that as part of the Land Bank's application to the Department of Homes & Community Renewal's Land Bank Initiative Phase I – Operating Funds, the Land Bank proposed procuring an external accounting firm to manage the Land Bank's finances and assist with budgeting. The Land Bank issued an RFP in late October and received seven proposals. An ad hoc committee consisting of J. Haas, Chairman Martin, and Board members C. Dziedzic and M. Sopchak reviewed all proposals and evaluated them accordingly. The group convened and made a recommendation to enter into a one-year professional services contract with Mondorf & Fenwick. After a brief discussion, Chairman Martin requested a motion to approve Mondorf & Fenwick PLLC for a one-year accounting service contract. On a motion by C. Dziedzic, seconded by T. Abdelazim, motion carried unanimously.

15. Resolution Setting the 2023 Annual Board Meeting (Resolution 2022-29): Per the Land Bank's Bylaws, J. Haas informed the Board that the Annual/Organizational meeting must be set via resolution. Chairman Martin requested a motion to set the 2023 Annual Board meeting date and time. On a motion by C. Dziedzic, seconded by T. Augostini, motion carried unanimously.

16. Small Business Tipping Fee Waiver Program: J. Haas presented to the Board the Land Bank's newly formed application for Small Business Tipping Fee Waiver Credits Program. She provided details to the Board, which included eligibility and scoring criteria, as well as the capped award amount for each application. If any applications are selected and recommended by Land Bank staff, the Board of Directors will consider a resolution to award the applications and authorize the Executive Director to execute any and all necessary documents.

17. Executive Session to Discuss the Disposition of Real Property and Personnel Matters related to the Land Bank Assistant Director Position: J. Haas requested the Board enter executive session to discuss the disposition of real property and personnel matters related to the Land Bank Assistant Director position. Chairman Martin requested a motion to enter executive session. On a motion by C. Dziedzic, seconded by T. Abdelazim, motion carried unanimously. Time: 4:36 p.m.

Chairman Martin requested a motion to resume regular session. On a motion by C. Dziedzic, seconded by T. Augostini, motion carried unanimously. Time: 5:01 p.m. Note that C. Marchuska and R. David left the meeting toward the end of Executive Session around 5:00 p.m.

18. Resolution Authorizing Renewal of the Administrative Services Agreement with Broome County for the Administration of the Broome County Land Bank for 2023 (Resolution 2022-27): Chairman Martin

explained to the Board the agreement that Broome County has in place with the Land Bank. This administrative services agreement is in place for the Executive Director to operate the Land Bank and an addition has been incorporated to account for the Assistant Director position for 2023. The agreement encompasses a grant to cover administrative expenses such as salary and benefits of the Executive Director and funding toward office supplies while the Land Bank will reimburse the County for salary and fringe benefits of the Assistant Director. Chairman Martin and J. Haas thanked the Broome County Executive's Office and the Broome County Legislature for their continued support of such agreement. After a brief discussion, Chairman Martin requested a motion to authorize the Executive Director to renew the agreement with Broome County for the administration of the Broome County Land Bank for the 2023 calendar year. On a motion by T. Augustini, seconded by C. Dziedzic, motion carried unanimously.

19. Adjournment: Chairman Martin asked for a motion to adjourn. On a motion by C. Dziedzic, seconded by K. Davis, the motion carried unanimously. The meeting adjourned at 5:02 p.m.