

A regular meeting of the Broome County Land Bank Corporation was convened in public session at the Broome County Public Library, 185 Court Street, in the City of Binghamton, Broome County, New York on Tuesday, November 14, 2023 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. Augostini, R. David, K. Davis, C. Dziedzic, W. Hughes, C. Marchuska (left at 4:18 p.m.), A. Martin, M. Sopchak
Absent: T. Abdelazim (informed Executive Director of absence)
Staff: J. Haas, R. O'Donnell
CAP: None
Other: C. McSorley

1. Call to Order: Chairman Martin called the meeting to order at 3:34 p.m.

2. Approval of Minutes: Chairman Martin asked for a motion to approve the minutes from the October 24, 2023 Board Meeting. On a motion by C. Marchuska, seconded by M. Sopchak, motion carried unanimously.

3. Chairman's Remarks: Chairman Martin made no remarks.

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

Rehabilitation projects: As it relates to 15 Birch Street, J. Haas stated that the property has been sold and she's working through the closing details. This is another success story for the Land Bank. She again thanked the Board, and the partners at FWAC, Clearview Door & Window, and John Farrell at Exit Realty.

Demolition Projects: R. O'Donnell reminded the Board that they acted recently to acquire 10 tax-foreclosed properties for demolition. He thanked the County Legislature, County Executive, and the Real Property and Law Departments for collaborating with the Land Bank through these tax foreclosures and helping to identify them to be included in the demo program. He also reminded the Board that these properties will be split into two rounds of demolitions given uncertainties with Real Property Tax Reform in NY. R. O'Donnell stated that the Land Bank went out to bid on the first round of LBI demos and held the pre-bid meeting last week and that the deadline for submission is Tuesday, November 21st. As for 119 Oak Hill Avenue, J. Haas reminded the Board that Land Bank received four proposals as a result of the RFP issued for the redevelopment of the site. Land Bank staff has submitted follow-up questions to all respondents and has been working through the details.

CDBG Projects: J. Haas stated that construction is done at both 1593 Oakdale Road in the Town of Maine and 313 Marion Street in the Town of Vestal with COOs received on both. She stated that Dan Brown Construction and Clearview Door & Window have done a great job so far. J. Haas mentioned they've finalized the design and scope development for the rehabilitation project at 224 Marion Street with the help

of L2 and Len from SEPP. She also mentioned that the Land Bank would be going out to bid tomorrow on this project, with complete bids due on December 7th. J. Haas reminded the Board that DHCR has approved the grant extension through the end of the year. Due to the timeline for these projects, she's working on another extension request with the help of Paul Nelson. Another extension was recommended by our community developer at DHCR, and her initial thought is to request an extension through the end of June 2024.

J. Haas reminded the Board that DHCR has expressed their wishes that there be no returned program income to the State and that the Program Director is requesting the Land Bank take a developer's fee at the end of the project, which would essentially be the exact amount of the checks from the buyer at closing. The initial understanding from DHCR is that these funds would be considered "local" and therefore, unrestricted. In a follow-up conversation with Paul Nelson, he's recommending that regardless of what is in the closeout agreement with the State, he recommends that the Land Bank aid on the side of caution in utilizing these funds for immediate projects. That said, if everything goes as planned, J. Haas recommends that these funds remain in the fund balance for some time before using them. She also mentioned that DHCR has changed course and will no longer require a second mortgage to be attached to the sale under the assumption that a second mortgage is no longer going to be required on the sales. They will still require a deed restriction, which is what the County and Land Bank had originally proposed and what we are used to implementing on previous sales. The representatives expressed that the President of OCR determined that a second mortgage would be too cumbersome. OCR's legal department is almost done drafting the deed restriction language and we should receive a copy soon. She reminded the Board that DHCR has reviewed the draft handbook for the Affordable Homes Program funded by CDBG, and they've recently expressed concerns with the Land Bank's approach to disposing of these homes, which will be discussed with the Board later.

City of Binghamton ARPA Projects: J. Haas reminded the Board that the Land Bank has 52 Beethoven Street, 34 Andrews Avenue, 61 Park Avenue, 21 Walnut Street, 14 McNamara Avenue, 33 Elm Street, 8 Gray Street, and 170 Moeller Street to include in the City's ARPA program as rehabilitation projects. She mentioned that staff recently obtained quotes for the Asbestos Abatement at both 34 Andrews Avenue and 52 Beethoven Street and that a Resolution approving that contract will be before the Board today. A Request for Qualifications (RFQ) is also being issued tomorrow for Construction Management Services to assist with the Affordable Homes Program in the City. J. Haas believes this is a step in the right direction in moving these projects forward and streamlining the process with contractors; therefore, enticing them to bid. Submissions for the RFQ will be due on December 7th. As it relates to trash & rubbish removal at these properties, J. Haas stated that they are complete, and we are awaiting the final invoice and return of our A key from Platinum Roofing. While we did run into a few challenges, all work has been substantially completed and we're looking forward to moving on to the next phase of these projects. Since the properties have been cleaned out, J. Haas has issued a notice to proceed to Delta Engineers for pre-renovation environmental testing on the remaining 6 properties in the City. They expressed that they can begin next week and be completed before the end of the year with small bid packages issued for abatement shortly thereafter.

Broome County ARPA Projects: J. Haas reminded the Board that we will be utilizing DHCR LBI funds in the first instance to fund upcoming demolition rounds before reverting to our ARPA dollars from the County, and we need to spend those dollars down by 2025. R. O'Donnell reminded the Board that the current round of demolitions will include the following properties: 282 Ransom Road in the Town of Chenango, 65 Nowlan Road in the Town of Fenton, 9037 Main Street in the Village of Lisle, 1363 Millburn Drive in the Town of Conklin, and 1529 Nanticoke Drive in the Town of Union. He stated that six contractors attended the recent pre-bid meeting at Delta's Office and that he's confident that a handful of bids will be received. As a reminder, complete bids are due next week on the 21st with an award to be made in December.

DHCR Land Bank Initiative: As it relates to the LBI Phase I funding, J. Haas reminded the Board that year 1 of LBI Phase I has been closed out and that we're tracking our expenses for year 2 and will probably submit the first disbursement request before the end of the calendar year. She also reminded the Board that the staff has reviewed a few versions of the draft Strategic Plan from MRB Group and that a final version should be forthcoming to the Board, which will formally be adopted and posted to the new website. J. Haas mentioned that with the new year coming soon, that Drescher & Malecki will be the new vendor for auditing services, and that there's a chance that a single audit may be required due to the number of federal dollars we have expended this year. She also intends to execute another 12-month engagement with Mondorf & Fenwick for 2024, which will most likely include a slight inflationary increase in their monthly fee and there may be a small additional fee to add R. O'Donnell to Bill.com as an authorized user.

DHCR LBI Phase II funding: R. O'Donnell mentioned that Martin Kane Appraisals have gotten underway after the Board recently approved contracting with them. Appraisals have been completed for 1593 Oakdale Road and 313 Marion Street, which went smoothly. Martin and his staff have begun the second round of appraisals by visiting the sites of the current demo round. J. Haas reminded the Board that the grant term is 18 months and we moved very quickly through the approval process with HCR and are already underway on several proposed deliverables, with more to come soon.

Small Business Tipping Fee Waiver Program: J. Haas reminded the Board that they approved seven projects so far with Ramco Development (2), North & Main Development, Clinton Street Café, Ray Lantz Garage, Nanticoke & Wending Holdings, and Tioga Learning Properties. Five of the projects have been completed and demolition debris transported to the landfill. She expects the Tioga Learning Properties demolition to go smoothly as well since the applicant is familiar with the program. As it relates to the second Ramco Development demo, J. Haas stated that the applicant still hasn't closed on the property and is awaiting utility removal by NYSEG. The applicant has been notified that if the project isn't completed by the end of the year, that they will need to reapply next year for this demo. As a reminder, applications are capped at \$15,000 each, and a Small Business is defined as having 50 employees or less.

Administrative/Housekeeping Items: J. Haas reminded the Board that in conjunction with NYLBA, the staff has been closely monitoring the proposed foreclosure moratorium by the NYS Legislature. The staff continuously brainstorms several ideas, next steps, and methods that could be adopted to ensure the Land Bank is in good standing whenever the NYS Legislature decides to enact policy in response to the SCOTUS ruling on Tyler v. Hennepin. The next NYLBA meeting is this Thursday. Additionally, the Shared Services/Administrative Agreement between the Land Bank and Broome County is up for consideration at this week's County Legislative Session on Thursday evening.

J. Haas closed with the financial report.

5. Public/Community Advisory Panel Comments: Chairman Martin opened the floor for comments. There were no comments.

6. Resolution Awarding a Contract to Sunstream Corporation for Asbestos Abatement at 34 Andrews Avenue & 52 Beethoven Street, City of Binghamton (Resolution 2023-52): J. Haas stated that a request for quotes was issued to remove the asbestos at 43 Andrews Avenue & 52 Beethoven Street, and seven quotes were received. After reviewing the quotes, it's been determined that the lowest responsible quote is from Sunstream Corporation.

After a brief discussion, Chairman Martin called for a motion to authorize the Executive Director to enter into an agreement with Sunstream Corporation for the abatement of asbestos at 34 Andrews Avenue & 52 Beethoven Street, City of Binghamton. On a motion by M. Sopchak, seconded by C. Dziedzic, motion carried unanimously.

7. Executive Session to Discuss the Acquisition and Disposition of Real Property: A. Martin requested the Board enter executive session to discuss the acquisition and disposition of real property. Chairman Martin requested a motion to enter executive session. On a motion by C. Marchuska, seconded by C. Dziedzic, motion carried unanimously. Time: 4:00 p.m.

Chairman Martin requested a motion to resume regular session. On a motion by M. Sopchak, seconded by C. Dziedzic, motion carried unanimously. Time: 4:57 p.m.

8. New Business: Chairman Martin asked if there was any new business to discuss. C. Dziedzic made a motion to authorize the Executive Director to spend an amount not to exceed \$15,000 for the purpose of making an earnest money deposit for the purchase of real property in Broome County. On a motion by C. Dziedzic, seconded by W. Hughes, motion carried unanimously.

9. Adjournment: Chairman Martin asked for a motion to adjourn. On a motion by T. Augostini, seconded by K. Davis, motion carried unanimously. The meeting adjourned at 4:59 p.m.