

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, December 12, 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, K. Davis, C. Dziedzic, W. Hughes, A. Martin, M. Sopchak
Absent: T. Abdelazim, R. David, C. Marchuska (all 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 3:37 p.m.

2. Approval of Minutes: Chairman Martin asked for a motion to approve the minutes from the November 14, 2023 Board Meeting. On a motion by M. Sopchak, seconded by T. Augostini, 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 this property will be closing tomorrow. This is another success story for the Land Bank. She again thanked the Board, the partners at FWAC, Clearview Door & Window, and John Farrell at Exit Realty.

Demolition Projects: R. O'Donnell reminded the Board that there are 10 tax-foreclosed properties in the Land Bank inventory, with 9 slated for demolition. 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 mentioned that the Land Bank went out to bid on the first round of LBI demos and that the proposed award is on the agenda for further discussion. 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 reminded the Board 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 that the Land Bank went out to bid on the rehabilitation project at 224 Marion Street with the help of L2 and Len from SEPP. The bids were due late last week, and there is an item on the agenda for a proposed award to the lowest qualified bidder, Clearview Door & Window. She mentioned that they were the only

bid received and the total cost is well below our engineers' estimate on file. Since only one bid was received, CDBG program guidelines require consultation with DCHR to confirm that followed federal procurement guidelines and they have authorized us to proceed. J. Haas mentioned that a second extension request was submitted in late November and DHCR was able to turn around the approval in less than a week. The new contract end date is July 1, 2024, and Beth Lucas expressed that she will submit a resolution request to the Legislature for January to extend the County and Land Bank's subrecipient agreement through July as well.

J. Haas reminded the Board that our understanding is that the Land Bank can now keep sale proceeds as what DHCR has classified as miscellaneous revenues. Working with Paul Nelson we're updating our Administrative Plan to account for these funds and she's working with DHCR on the intended use of those revenues, they understand the challenges the Land Bank is facing due to NYS Property Tax Reform, and DHCR has stated that they will work with the Land Bank as changes need to be made. She also reminded the Board the DHCR is no longer requiring the second mortgage, but will enforce a deed restriction on the sales, and they have authorized the Land Bank to use its normal language for those. While DHCR has previously expressed concerns with the Land Bank disposition plan for these properties, after this most recent phone call that included A. Martin, DHCR has agreed to hold an internal meeting to review the info provided and she is hopeful that an agreement with DHCR will be reached very soon on how these properties will be disposed, so they can be marketed for sale shortly after that agreement is made.

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 met with Keystone and Sunstream to review the proposed Asbestos Abatement at both 34 Andrews Avenue and 52 Beethoven Street and she has subsequently issued the NTP for Sunstream to begin the work and executed a contract. Sunstream will undertake what work they can weather permitting, and the rest will be completed in conjunction with the future General Contractor at 34 Andrews Ave. Note that the exterior window material and the roof are hot for asbestos at this site. A Request for Qualifications (RFQ) was recently issued for Construction Management Services to assist with the Affordable Homes Program in the City. J. Haas stated that 11 submissions were received, staff has begun reviewing them, and most likely a recommendation for awarding that contract will be made at the January 2024 Board meeting. J. Haas also mentioned that she has issued a notice to proceed to Delta Engineers for pre-renovation environmental testing on the remaining 6 properties in the City. They have begun their work and the plan is to issue small bid packages for abatement shortly after the new year when Delta's work is complete.

Broome County ARPA Projects: R. O'Donnell 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. He also 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.

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 have submitted the first disbursement request which was around \$64,000. 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 has been distributed to Board members for their feedback. The Plan will formally be adopted at the January 2024 Board meeting. J. Haas reminded the Board 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 includes a slight inflationary increase in their monthly fee and a small additional fee to add R. O'Donnell to Bill.com as an authorized user.

DHCR LBI Phase II funding: R. O'Donnell reminded the Board that the Land Bank is contracting with Martin Kane Appraisals. They have completed the appraisals for the two completed CDBG projects and the upcoming round of demolitions and are currently undertaking the appraisals for the City ARPA properties and will then handle the other demolition property appraisals. 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. She anticipates submitting the first draw following the completion of the next round of demolition projects.

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. Six of the projects have been completed and demolition debris transported to the landfill. 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, 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 next Thursday.

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 for Asbestos Demolition and Limited Site Work at 5 Vacant Residential Properties in Broome County to LCP Group, Inc. (Resolution 2023-53): J. Haas stated that when the Land Bank went out to bid for this round of demolitions five bids were received. Unfortunately, the apparent low bid, Zuke's Excavating, submitted an incomplete bid, therefore, LCP Group was determined by Delta Engineers to be the lowest responsible bidder in the aggregate. She further stated that she is requesting the contract up to \$95,000 to encompass any possible change orders. After a brief discussion, Chairman Martin requested a motion to authorize an agreement with LCP Group, Inc. for the demolition of five residential properties. On a motion by C. Dziedzic, seconded by K. Davis, motion carried unanimously.

7. Resolution Awarding a Contract to Clearview Door and Window for the Renovations and Reconstruction at 224 Marion Street, Town of Vestal (Resolution 2023-54): J. Haas stated that one bid was received for this contract, with Clearview Door and Window being the sole bidder, which has been approved by DHCR. Their bid was below the engineers' cost estimate, and they can begin the work shortly after a contract is executed. After a brief discussion, Chairman Martin called for a motion to authorize the Executive Director to enter into an agreement with Clearview Door and Window for the Renovations and Reconstruction at 224 Marion Street in the Town of Vestal. On a motion by M. Sopchak, seconded by W. Hughes, motion carried unanimously.

8. Resolution Authorizing Renewal of the Administrative Services Agreement with Broome County for the Administration of the Broome County Land Bank for 2024 (Resolution 2023-55): 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 accounts for the Assistant Director position for 2024. 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 said 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 C. Dziedzic, seconded by M. Sopchak, motion carried unanimously.

9. Resolution Setting the 2024 Annual Board Meeting (Resolution 2023-56): 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 2024 Annual Board meeting date and time. On a motion by K. Davis, seconded by C. Dziedzic, motion carried unanimously.

10. 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. Dziedzic, seconded by M. Sopchak, motion carried unanimously. Time: 4:12 p.m.

Chairman Martin requested a motion to resume regular session. On a motion by T. Augostini, seconded by M. Sopchak, motion carried unanimously. Time: 4:25 p.m.

11. Adjournment: Chairman Martin asked for a motion to adjourn. On a motion by C. Dziedzic, seconded by W. Hughes, motion carried unanimously. The meeting adjourned at 4:26 p.m.