

**STEUBEN COUNTY LAND BANK CORPORATION**

*Wednesday, April 26, 2017*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**PRESENT:** Joseph J. Hauryski, Chairman, Steuben County Legislature  
Scott J. Van Etten, Legislator, District 13  
Pat Donnelly, Steuben County Commissioner of Finance  
Jack K. Wheeler, Steuben County Manager  
Shawn D. Hogan, Mayor, City of Hornell  
Mark Ryckman, Corning City Manager  
William von Hagn, Mayor, Village of Bath

**OTHERS:** Mitchell Alger, Steuben County Deputy County Manager  
Alan Reed, Steuben County Attorney  
Jennifer Prossick, Steuben County Deputy County Attorney  
Carol A. Ferratella, Legislator, District 13  
Kelly H. Fitzpatrick, Legislator, District 3  
Hilda T. Lando, Legislator, District 2  
Mary Perham

**I. CALL TO ORDER**

Mr. Alger called the meeting to order at 9:00 a.m. He thanked all of the members for participating.

**II. ELECTION OF OFFICERS**

A. **Chair** – Mr. Alger called for nominations for Chair. *Mr. Wheeler nominated Mr. Van Etten, seconded by Mr. Hauryski and duly carried.*

B. **Vice Chair** – Mr. Van Etten called for nominations for Vice Chair. *Mr. Wheeler nominated Mr. Hauryski, seconded by Mr. Donnelly and duly carried.*

C. **Secretary** – Mr. Van Etten called for nominations for Secretary. Mr. Wheeler noted that he feels it would be appropriate for one of the municipalities to fill this seat. For the position of Treasurer, it would make sense to appoint Mr. Donnelly. *Mayor VonHagn nominated Mayor Hogan, seconded by Mr. Ryckman and duly carried.*

D. **Treasurer** – Mr. Van Etten called for nominations for Treasurer. *Mr. Donnelly nominated himself, seconded by Mayor VonHagn and duly carried.*

**III. ADOPTION OF BY-LAWS**

**MOTION: ADOPTING THE BY-LAWS OF THE STEUBEN COUNTY LAND BANK CORPORATION AS PRESENTED MADE BY MAYOR HOGAN. SECONDED BY MAYOR VONHAGN. ALL BEING IN FAVOR. MOTION CARRIES 7-0.**

Mr. Van Etten commented the By-Laws refer to the purpose of the Corporation as being those set forth in the grant application. He stated Mrs. Erway emailed the grant application to him, but it may be helpful for the committee as well. Mr. Alger stated he will send that to the committee.

#### **IV. COMMITTEE ASSIGNMENTS**

Mr. Wheeler stated we are proposing three committees; Audit, Finance and Governance. The Audit and Finance committees can be the same. The PARIS rules would like them to be separate; however, in the case of a smaller organization, such as ours, it is allowable to combine. Mayor Hogan recommended the Chair and Vice Chair make the recommendations for appointments. Mr. Wheeler stated we will bring this item back for consideration next month.

#### **V. ACTION ITEMS**

A. **Establish Bank Account/Accounting Processes** – Mr. Donnelly stated that he will establish an account with Five Star Bank. He is working with the IT Department to see if they can set up a separate company in our financial system. Otherwise, we will need to get QuickBooks Software. The money for this Corporation cannot be co-mingled with County funds.

Mr. Van Etten asked if we are establishing accounting processes here; in the management services contract, it states that financial record keeping will be the responsibility of the vendor. Mr. Wheeler replied the accounting that the vendor would be doing is more of the project accounting. Our accounting is more at the top end. Mr. Donnelly stated we will have control of the funds.

Mr. Ryckman asked how does the initial funding work? Mr. Alger replied the LISC (Local Initiatives Support Corporation) will distribute \$62,500 quarterly. They sent a draft of the disbursement agreement and we are awaiting the final agreement. This essentially will be pass-through dollars from the County to this Corporation.

**MOTION: AUTHORIZING THE TREASURER OF THE CORPORATION TO OPEN A BANK ACCOUNT AT FIVE STAR BANK FOR THE STEUBEN COUNTY LAND BANK CORPORATION MADE BY MAYOR VONHAGN. SECONDED BY MR. RYCKMAN. ALL BEING IN FAVOR. MOTION CARRIES 7-0.**

Mr. Donnelly asked since they sent a draft agreement, are they amenable to changes? Mr. Alger replied we do not foresee a lot of changes from the draft as we did not see anything that was abnormal.

B. **Insurance/Indemnification** – Mr. Alger requested authorization to work with the Risk Manager to explore an RFP for an insuring organization. One option to explore is the New York State Land Bank Association as they have a pool of insurance similar to NYMIR. We can also explore whether it makes sense to add to our existing County policy.

Mayor Hogan commented the National Center for Communities Program is the “godfather” of the land bank idea. They have great informational and educational opportunities. They may also provide insurance and indemnity.

Mr. Van Etten asked what is the scope of what we are insuring? If we hire a contractor and they then carry out the purpose of the group, wouldn't they have their own insurance? Mr. Alger replied yes, and in that case we would be named an additional insured. Mr. Wheeler commented we would be named under D & O (Directors & Officers Liability Insurance).

**MOTION: AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS FOR AN INSURING ORGANIZATION TO PROVIDE INSURANCE AND INDEMINIFICATION FOR THE STEUBEN COUNTY LAND BANK CORPORATION MADE BY MR. HAURYSKI. SECONDED BY MR. DONNELLY. ALL BEING IN FAVOR. MOTION CARRIES 7-0.**

C. **Management Services Contract** – Mr. Alger stated as you may be aware, this draft proposal was based on what Arbor Development sent over and represents what we think an arrangement may look like. However, it would behoove us to go through the RFP process. He is hopeful that they can issue an RFP and take action on that next month and have it up and running by June, at the latest.

Mr. Ryckman informed the committee that the City of Corning is doing something similar with Arbor. They conduct the work for us; when they obtain a property, they put it out to bid, do the accounting work, take minutes, schedule meeting space. With the actual construction and demolition, they have the oversight to act as the general contractor. You may need to clarify the taking of minutes, since you may be subject to Open Meetings Law.

Mr. Wheeler replied we have resources at the County and if we can save money by using what we have, we will do that. Mr. Alger has done a great job of working on this with Arbor. To him, it seems like the ideal way to do this. The biggest thing is that you have three to five people at Arbor that have different skills. Chemung County is looking to hire a director to do this work.

Mr. Ryckman stated for the City of Corning, Jeff Eaton is acting as the Executive and another individual has the construction experience and is bidding the projects. Additionally, they have a clerical support person. We are buying portions of all of their time and it has worked very well.

Mr. Van Etten asked what decisions does Arbor make? Mr. Wheeler replied with respect to projects, those decisions would come to us. In terms of value, that is their expertise. Mr. Ryckman stated in the City of Corning, they are doing a citywide housing rehabilitation project which almost mirrors the land bank. We may also use grant funding from CDBG and Three Rivers. Arbor has also been talking about seeking some grants. No one entity is bearing the full financial responsibility for the rehabilitation.

Mayor Hogan asked have you applied for a CDBG grant for the city? Mr. Ryckman replied we do have a CDBG infrastructure grant to reconstruct roadways in our low to moderate-income developments. That is public facilities money. We are finding that all of the properties are unique and the financial packages are unique.

Mayor Hogan stated with the land bank, you are finding properties and determining the value after an investment of time. In the City of Hornell, we applied for a partner in various communities to reduce the risk and enhance the return.

Mr. Ryckman stated Arbor helps us with the selection of the houses and determines how much work needs to be done. Mr. Alger commented that is what we are looking to have them bring to this organization. Mr. Ryckman stated they also interact with the property owners and come back to our board for authorization. They act as our agent.

Mr. Van Etten asked if our advance in money from the grant is quarterly, does that mean we are doing one project at a time? Mr. Alger replied he thinks we will need to decide that as we go.

Mayor Hogan stated you would initially have to do a community assessment. A lot of that will be working with the Commissioner of Finance to see what you have. He does not think you will engage in a lot of projects initially. You will need to do the community assessment and determine how best to use the funds to get the most impact. Each community should be charged with coming up with a list of potential projects. Mr. Alger stated that is a great idea. In working with LISC, the grant was supposed to start in January and run over the course of two years. They will be flexible if we need more funding on the front end.

Mr. Van Etten asked how does the expense of the management service contract work? Mr. Ryckman replied our contract is a flat fee paid annually. Mr. Wheeler stated we talked about a flat annual fee. When we put out the RFP, we will propose options for a per project fee or a flat fee paid monthly. Mr. Ryckman stated the City of Corning is paying for baseline services. If we secure a CDBG grant and we want them to administer it, we would need to negotiate for that as it is beyond the baseline. It seemed the fairest way to do it.

Mrs. Lando asked who sets the priority once the inventory of properties is done? Mr. Ryckman replied in Corning, the committee decides that. We give them a general direction and what we want surveyed. We have 4,400 parcels. Mayor Hogan stated the City of Hornell is part of the zombie property initiative. We received a \$75,000 grant and we did a community assessment and are tracking foreclosures. Part of the grant is to educate property owners that there are programs available to help them if they are in danger of foreclosure. He stated they have had a good relationship with the County and as a result, have been able to put a number of properties back on the tax roll. This land bank has great potential for our County. Once the process is moving, we need to highlight the importance of keeping strong neighborhoods.

Mr. Donnelly asked does Arbor photograph the properties? Mr. Ryckman replied they have their version of a tax map which has color coding for different criteria, along with a photo of the outside. They do an initial assessment, come back to us and we review. Our project is different as we are doing the rehabilitation in targeted areas. Once we pick the properties that we are interested in, Arbor does a more detailed assessment of the property. Then they work up a plan and come back to our board for approval. We just started this about a year ago and it has worked well. The first target area was on 1st Street. We are happy with the work Arbor is doing. One thing to think about is how you are going to revolve the money around.

Mrs. Lando asked will the Legislators have input as to the priorities? Mayor Hogan replied that would be part of your community assessment. Mr. Wheeler replied on this board you have four County representatives, two of which are Legislators. Anything going through the County foreclosure process is approved by the Finance Committee. Mayor Hogan commented the banks are more amenable to conversations and may deed over a property to the land bank. The land bank would make the determination of whether or not to take it. He stated his preference is that we not deal with income-based property and avoid the landlord aspect. Mr. Van Etten asked would he be against renovating a property and selling to an investor who wanted to purchase and then rent it? Mayor Hogan replied he would not be against that. In the City of Hornell, it became a cottage industry and we were supporting it through DSS vouchers. There was a lack of maintenance, issues with tenants, etc. If we can, we should encourage home ownership if at all possible.

Mr. Donnelly asked is there a requirement in the grant about moderate-income housing? Mr. Wheeler replied your first time through, you have to meet the moderate-income housing requirement. After that, you can look at commercial properties.

**MOTION: AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS FOR A MANAGEMENT SERVICES CONTRACT TO MANAGE LAND BANK OPERATIONS FOR THE CORPORATION MADE BY MAYOR VONHAGN. SECONDED BY MR. WHEELER. ALL BEING IN FAVOR. MOTION CARRIES 7-0.**

D. **Legal Services** – Mr. Alger stated he has talked with the Law Department and there are things they will be able to do for the Corporation with regard to attending meetings and providing guidance on some of the transfer work that will need to be done. Mr. Reed stated regarding transactions, we will need to obtain outside counsel for real estate conveyances. They would also work with the management services provider to ensure compliance with the grant terms. He would recommend issuing an RFP for transaction purposes.

Mr. Alger asked would the land bank have an agreement with the County? Mr. Reed replied pursuant to statute, you are authorized to contract with a municipality to work with you. The County Legislature would need to approve a resolution authorizing my office to do that. There are baseline things that we can keep track of in the coordination of transactional legal services. Mr. Wheeler stated we could bid this as a retainer.

Mayor Hogan commented that perhaps in those communities with counsel, they would take responsibility for the transactions. For those communities that do not have counsel, perhaps we could have a circuit rider type of thing. Ms. Prossick commented one concern with that is budgeting. Typically, it is 1 percent per transaction. Mr. Alger stated we will make it as broad as we can in the RFP.

**MOTION: AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS FOR LEGAL SERVICES FOR THE CORPORATION MADE BY MAYOR HOGAN. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 7-0.**

E. **Accept Funds from Steuben County – Local Contribution** – Mr. Alger requested authorization to accept \$50,000 from Steuben County representing their local contribution.

**MOTION: ACCEPTING \$50,000 IN LOCAL CONTRIBUTION FUNDING FROM STEUBEN COUNTY MADE BY MR. DONNELLY. SECONDED BY MAYOR VONHAGN. ALL BEING IN FAVOR. MOTION CARRIES 7-0.**

F. **Accept Funds from City of Hornell – Local Contribution** – Mayor Hogan stated the City of Hornell will contribute \$25,000 to this initiative. He did express to Mr. Alger that other communities, if they are able, should also make an attempt to contribute something.

**MOTION: ACCEPTING \$25,000 IN LOCAL CONTRIBUTION FUNDING FROM THE CITY OF HORNELL MADE BY MR. RYCKMAN. SECONDED BY MR. WHEELER. ALL BEING IN FAVOR. MOTION CARRIES 7-0.**

Mr. Wheeler stated these two contributions cover the seed money. Mr. Ryckman stated the City of Corning may be able to contribute as well. At the moment we have committed \$200,000 to our project, however, it may be possible that we can do something for this as well.

G. **Accept Funds from Steuben County – Grant Award - \$500,000**

**MOTION: ACCEPTING PASS THROUGH GRANT FUNDS IN THE AMOUNT OF \$500,000 FROM STEUBEN COUNTY MADE BY MR. DONNELLY. SECONDED BY MAYOR VONHAGN. ALL BEING IN FAVOR. MOTION CARRIES 7-0.**

Mr. Ryckman asked will there be future grant rounds? Mr. Alger replied the State has left the door open. This is the third round of funding that they have put out. Mr. Van Etten asked are there any incentives? Mr. Alger replied if you show that you can turnover properties, they apparently have quite a bit of money available.

H. **Application for Recognition of Tax-Exempt Status with the IRS**

**MOTION: AUTHORIZING THE COUNTY MANAGER TO FILE AN APPLICATION WITH THE INTERNAL REVENUE SERVICE (IRS) FOR RECOGNITION OF TAX-EXEMPT STATUS MADE BY MR. DONNELLY. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 7-0.**

Mrs. Lando stated last week she attended the InterCounty meeting and a representative from the State Comptroller's Office was there and indicated that they are focusing more on land banks. They have various reports on their website that land banks can access for information. Mr. Donnelly commented that he has seen those reports.

Mrs. Ferratella asked is this Corporation applying for grants, or are the municipalities? Mr. Wheeler replied it could be both. This organization is eligible to apply for grants. Mr. Van Etten commented it will be interesting to see how we fit in, without competing with what the City of Corning is doing. Mr. Ryckman stated we have to think about the entire county. Mayor Hogan stated we don't have to reinvent the wheel. Onondaga County has a very successful program. There are also land banks in Chautauqua, Erie and Allegany. We can learn from their experiences and go from there. Mr. Alger commented working with the New York State Land Bank Association has been a good resource.

**VII. OTHER BUSINESS**

A. **Next Meeting** – The next meeting will be held on Wednesday, May 31, 2017, at 9:00 am in the Legislative Committee Room.

Mr. Ryckman stated that he would like to thank the County and the Legislators for taking this on. We certainly appreciate it.

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**STEBEN COUNTY LAND BANK CORPORATION**

*Wednesday, May 31, 2017*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**PRESENT:** Scott J. Van Etten, Chair, Legislator, District 13  
Joseph J. Hauryski, Vice Chair, Legislator, District 8  
William VonHagn, Mayor, Village of Bath  
Pat Donnelly, Steuben County Commissioner of Finance  
Jack K. Wheeler, Steuben County Manager  
Shawn D. Hogan, Mayor, City of Hornell

**OTHERS:** Mitchell Alger, Steuben County Deputy County Manager  
Jennifer Prossick, Steuben County Deputy County Attorney  
Kelly H. Fitzpatrick, Legislator, District 3  
K. Michael Hanna, Legislator, District 5  
Jeff Eaton, Executive Director, Arbor Development  
Amanda Keith, Arbor Development

**ABSENT:** Mark Ryckman, Corning City Manager

**I. CALL TO ORDER**

Mr. Van Etten called the meeting to order at 9:00 a.m. and led the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE APRIL 26, 2017, MEETING MADE BY MR. DONNELLY. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 6-0.**

**III. COMMITTEE ASSIGNMENTS**

**MOTION: APPOINTING MEMBERS TO THE FOLLOWING COMMITTEES: AUDIT/FINANCE COMMITTEE: PAT DONNELLY, CHAIR, MARK RYCKMAN, VICE CHAIR AND SCOTT VAN ETEN; GOVERNANCE COMMITTEE: JACK WHEELER, CHAIR; JOE HAURYSKI, VICE CHAIR; AND SHAWN HOGAN MADE BY MAYOR HOGAN. SECONDED BY MR. WHEELER. ALL BEING IN FAVOR. MOTION CARRIES 6-0.**

**IV. ACTION ITEMS**

A. **RFP Results – Management Services Contract** – Mr. Alger informed the committee they received one response from Arbor Development for \$62,000 for two years, which came in below what we had budgeted. He recommended awarding the RFP to Arbor Development to handle the day-to-day management of the organization. Mr. Wheeler commented their response was in line with the scope of work we had discussed at our last meeting. This will be a great partnership.

**MOTION: AWARDING THE REQUEST FOR PROPOSALS FOR MANAGEMENT SERVICES CONTRACT TO SOLE BIDDER, ARBOR DEVELOPMENT, FOR \$62,000 FOR TWO YEARS MADE BY MAYOR HOGAN. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 6-0.**

B. **RFP Results – Legal Services** – Mr. Alger informed the committee they received three responses. He distributed a summary of those responses. Most of the work will deal with the closings on properties that we are acquiring. He stated that in talking with the Law Department, the Law Department will handle what they are comfortable doing. Anything else that would be a potential conflict would be handled through this RFP. The proposal of \$13,000 per year from Jacqueline Mohrman is all-inclusive. The second proposal from Whiteman, Osterman & Hanna is in conjunction with Jeff Squires who will be handling the closings at a rate of \$500 per closing and an hourly rate of \$200 after that. The unique thing about this proposal is the larger firm that he is partnering with has done work with at least one other land bank and Mr. Squires can refer specific issues to them. He would recommend awarding to Whiteman, Osterman, & Hanna.

**MOTION: AWARDING THE REQUEST FOR PROPOSAL FOR LEGAL SERVICES TO WHITEMAN, OSTERMAN & HANNA, LLP IN CONJUNCTION WITH JEFF SQUIRES WHO WILL BE PERFORMING THE CLOSINGS MADE BY MR. DONNELLY. SECONDED BY MR. WHEELER. ALL BEING IN FAVOR. MOTION CARRIES 6-0.**

Mayor VonHagn asked do you have an idea of the number of properties we will be dealing with? Mr. Alger replied we have estimated eight to ten properties over two years. Mr. Van Etten asked when we acquire a property into the land bank, does this attorney handle it or the Law Department? Ms. Prossick replied it will be a joint effort. Mr. Donnelly explained if the property is coming out of the tax foreclosures, it will come out of our office.

C. **Conflict of Interest Policy**

**MOTION: ADOPTING THE CONFLICT OF INTEREST POLICY AS PRESENTED MADE BY MAYOR VONHAGN. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 6-0.**

Mayor Hogan suggested that the members sign off on the policy and have it filed.

*Secretary's Note: The members of the committee signed the Conflict of Interest Policy and copies will be kept in the meeting file in the Clerk of the Legislature's Office. Mr. Ryckman, who was not in attendance, will be sent a copy of the policy for his signature and subsequent filing.*

D. **Internal Controls Policy** – Mr. Donnelly commented they inquired about adding another entity to the existing Sunguard Software that the County uses; however, it is not cost effective. He stated that the Finance Office may purchase QuickBooks to be used for this organization.

**MOTION: ADOPTING THE INTERNAL CONTROLS POLICY AS PRESENTED MADE BY MR. HAURYSKI. SECONDED BY MAYOR HOGAN. ALL BEING IN FAVOR. MOTION CARRIES 6-0.**

E. **Authorization to Join Land Bank Association** – Mr. Alger requested authorization for this organization to join the New York State Land Bank Association. The annual cost is \$1,500. He has been working with the association and participating in conference calls, so it may be worthwhile to join. The Association does lobby for State legislation that is pertinent to the land banks. In his discussions with the Association, they may be able to prorate our cost for the first year of membership.

**MOTION: AUTHORIZING MR. ALGER, ON BEHALF OF THE STEUBEN COUNTY LAND BANK CORPORATION, TO JOIN THE NEW YORK STATE LAND BANK ASSOCIATION WITH ANNUAL DUES OF \$1,500 MADE BY MR. DONNELLY. SECONDED BY MR. WHEELER. ALL BEING IN FAVOR. MOTION CARRIES 6-0.**

V. **ITEMS FOR NEXT MONTH**

A. **RFP Results – Insurance/Indemnification** – Mr. Alger informed the committee that they should be sending the RFP out this week. One of the issues we are encountering is that some of the land banks across the State have

seen high premiums because of New York's Scaffold Law. Some of the land banks are paying as much as \$30,000 annually. We should have the responses ready for review for next month's meeting.

Mr. Van Etten commented he would think we would have two kinds of insurance; one on each property we own and refurbish, and another for liability. Could we just buy a homeowners policy on the properties as we get them? Mayor Hogan commented perhaps you could roll it under the County's policy and/or if the property is in a specific community, see if they could roll the insurance into their own. However, we may be crossing too many lines to do that. Mr. Donnelly stated the County has a blanket policy that covers the foreclosures.

Mr. Alger stated we had looked at various options, but we are a corporation and therefore, not the same as the County. We wanted to look at doing a rider on the County's policy, but our TPA was not receptive to that. He commented as part of our disbursement agreement/grant agreement, we need to show proof of insurance. We are waiting on our Certificate of Good Standing from the Department of State. After we get the certificate, he will submit the paperwork we need and once we get our insurance, then that will be sent out separately.

**B. Application for Recognition of Tax-Exempt Status with IRS** – Mr. Alger stated Ms. Prossick and Mr. Donnelly are working on the application for tax-exempt status that the IRS requires.

**C. Procurement Policy/Budget** – Mr. Alger stated he also will be continuing to work on a procurement policy over the next month or so. He stated that he would like to work with Arbor Development on developing a budget and adopting project budgets.

Mr. Van Etten asked when do we actually start the process of identifying and acquiring properties and who will do that? Mr. Alger replied we will work with Arbor Development on that. He stated that his focus has been on getting the infrastructure pieces in place. Mr. Donnelly commented that he would like to have the sale booklets ready within a couple of weeks. We have 130 properties; however, we do not know how many are occupied. Mr. Hauryski asked how do we get the word out to the communities as far as having knowledge of properties? Mr. Donnelly replied we need to reach out to the code officers. Mayor VonHagn asked could we include information in the County Newsletter? Mr. Wheeler replied we can include it in the next issue of the County Newsletter. Mr. Van Etten stated it is a good idea as a lot of them do not know. Mr. Wheeler stated he will work with Arbor and the Law Department on the best way to word it in the Newsletter.

Mayor Hogan stated with regard to a property inventory, the City of Hornell did a community self-assessment. He showed the committee a map depicting foreclosed, zombie properties and vacant owned properties. We have 36 verified zombie properties that are registered at the State. Our vacant owned properties are still under ownership, but some are also included in this year's tax sale. This map only shows the City of Hornell, but the problem is widespread. He stated he is in the process of proposing a Local Law on vacant commercial properties. We have an interest in renting those properties, but the owners are not interested in renting. Most of the commercial properties are owned by entities outside the City. He would like to pass a Local Law that each year a building stays vacant, we will add a special assessment to it. The vacant buildings have to be looked at with more scrutiny as there are issues with public safety. Under the Local Law, the owners would have to have a viable plan for the building. For each year they do not, they would have a progressive special assessment. He is trying to get a legal opinion to determine if they legally can do this.

Mr. Van Etten asked an assessment on a vacant property isn't less? Mayor Hogan replied not really. If the owner does not apply for tax relief, they will pay the same amount of taxes as if it were occupied. He stated we all need to get more serious in our code enforcement. That is the best investment we can make in our communities. Mr. Van Etten commented the State law that goes after zombie properties is helping to fight blight. Discussion followed.

## **VI. OTHER BUSINESS**

**A. Next Meeting** – The next meeting will be held on Wednesday, June 28, 2017, at 9:00 a.m. in the Legislative Committee Room.

**MOTION: TO ADJOURN MADE BY MAYOR VONHAGN. SECONDED BY MR. WHEELER. ALL BEING IN FAVOR. MOTION CARRIES 6-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**STEBEN COUNTY LAND BANK CORPORATION (SCLBC)**

*Wednesday, June 28, 2017*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York 14810*

**\*\*MINUTES\*\***

**PRESENT:** Scott J. Van Etten, Chair, Legislator, District 13  
Joseph J. Hauryski, Vice Chair, Legislator, District 8  
William VonHagn, Mayor, Village of Bath  
Jack K. Wheeler, Steuben County Manager  
Patrick F. Donnelly, Steuben County Commissioner of Finance

**OTHERS:** Mitchell Alger, Deputy County Manager  
Jennifer Prossick, Deputy County Attorney  
Kelly H. Fitzpatrick, Legislator, District 3  
Carol A. Ferratella, Legislator, District 13  
Hilda T. Lando, Legislator, District 2  
Jeff Eaton, Executive Director, Arbor Development  
Rocco Soda, Arbor Development  
Carl Cook, Arbor Development  
Jeanie Glass, Arbor Development  
Lee Pollock, Rose & Kiernan (by phone conference)

**ABSENT:** Shawn D. Hogan, Mayor, City of Hornell  
Mark L. Ryckman, Corning City Manager

**I. CALL TO ORDER**

Mr. Van Etten called the meeting to order at 9:00 a.m. and led the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE MAY 31, 2017, MEETING MADE BY MAYOR VONHAGN. SECONDED BY MR. DONNELLY. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DISCUSSION**

A. **Tax Sale List/Work Plan** – Mr. Eaton introduced Rocco Soda, Real Estate Development, Carl Cook, Construction Rehabilitation and Jeanie Glass, Project Manager. He stated that Mr. Cook and Ms. Glass have gone through a very detailed process. Mr. Soda stated you provided us with a list of nine properties to evaluate. We looked at multiple things. Mr. Cook provided rehab estimates. We conducted an exterior evaluation and reviewed public records. Included with our evaluation is a neighborhood impact, which is rated on a scale of 1 – 10, with 10 representing the highest positive impact. Discussion followed regarding the nine properties.

Mr. Eaton commented that the two properties they are recommending for rehab are not considered blight properties, but they will generate some income for the land bank, which will allow for potential losses on other properties. Mr. Wheeler stated from the County’s perspective, having a couple of “wins” at the get go is not a bad idea. We are not taking the risk to rehab a fully blighted home, and it gives us some surety going forward. Mr. Alger commented we are trying to strike a balance of not having too many properties in our inventory.

Mr. Eaton explained our process is that we look at whether we can keep a property in home ownership. An investment may have been a rental and we have been trying to work to balance rentals and home ownership. Mr. Van Etten stated you made a comment earlier that it would keep these from being a rental. Is that our mission, to prevent rentals? Mr. Eaton replied a little less than 60 percent of properties are rentals. It is about maintaining a mix and having different levels so that neighborhoods can accommodate those.

Mr. Wheeler commented the Finance Committee holds the final say. LISC wants the land banks to negotiate with the counties. Mr. Donnelly asked with the grant agreement, is there a provision that these be sold to first-time home buyers? Mr. Wheeler replied there is a provision that 50 percent of the properties the first time through the grant process need to be moderate-income.

Mrs. Ferratella asked what is the estimated turnaround time on a rehabilitation project? Mr. Soda replied that is unknown. At Arbor, we put 90 days on a whole home rehabilitation. It may be less.

Mr. Alger stated one topic the board needs to discuss is the number of houses to take. In his discussions with Mr. Wheeler, they thought we could take one or two from this tax sale. Mr. Van Etten asked would they be from different areas within the County. Mr. Wheeler replied yes.

Mayor VonHagn commented that he understands the importance of the return on investment, but we also need to consider the community impact. A little spark could help to turn things around. He stated that he would like the Board to consider property on East Washington and Pine Streets in the Village of Bath. If the intent is to get the best return and if we want to get a mix, there will be some loss. There will be a loss to the Land Bank and/or an improvement to the community. He stated that he sees and understands the financial end, but without the assistance of the Land Bank, we will not be able to turn things around. He would encourage looking at a mix of properties.

Mr. Van Etten stated he agrees. However, if you can cherry pick a couple of good ones and make a good return, that will pay for fixing others and that is a good balance. Our mission is to change blight, not to make money.

Mrs. Lando asked if there was a property that we decided to demolish, would we sell the land? Mr. Alger replied yes. Typically, we would look for a neighboring homeowner that would like a larger lot.

Mr. Eaton stated that when they first spoke with Mr. Wheeler and Mr. Alger about this, our concern is the money will not go very far. Many of these you will lose money on the acquisition and/or rehabilitation, or by tearing them down. Our idea is if you can make some money and put money in the kitty, then you can take out the blight. Mr. Alger stated the other hope is that the grant funding will continue and with this model, we will need grant money to make it sustainable. Our hope is to have enough income from the rehabilitations.

Mayor VonHagn asked is this the first round on the grant? Mr. Alger replied, yes, for us it is. Mrs. Lando asked what are other land banks doing? Mr. Alger replied they are doing similar things.

Mr. Van Etten asked what is the goal/target to do in a year? Mr. Wheeler replied our tax sale is only one avenue. Bank foreclosures are another. We could take two or three properties out of the tax auction. Then keep our options open for acquiring additional properties through bank foreclosure. We had talked about doing eight to ten properties over the course of two years. Mr. Alger commented several of the properties on the list that Mayor Hogan distributed last month were bank owned. Mr. Wheeler stated Legislator Roush also sent us a list, but many of those are privately owned. Mr. Soda commented they have not yet had an opportunity to look at the Erwin or Hornell properties. Mr. Wheeler stated it would be good to also look at the two properties that Mayor VonHagn suggested.

Mr. Eaton stated the grant talks about doing eight to ten properties. Is the intent to complete those properties at the end of the two years? If you have to have them done in that timeframe, we need to acquire properties earlier to allow for more time for the evaluation and acquisition. Mr. Alger replied the grant's intent is to have the projects completed within two years.

**MOTION: RECOMMENDING TO THE STEUBEN COUNTY FINANCE COMMITTEE, THE REMOVAL OF THE FOLLOWING PARCELS FROM THE 2017 TAX SALE AUCTION: SALE PARCEL #55, SALE PARCEL #92 AND SALE PARCEL #49 MADE BY MR. WHEELER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Hauryski stated that he also agrees with Mayor VonHagn and thinks that should be considered part of the mission. He also likes the recommendation to look at the properties on East Washington and Pine Streets in the Village of Bath. These three choices are good and he would prefer that we start out slow.

Mr. Wheeler stated we can get the information on the two Village of Bath properties and schedule a special meeting.

**IV. ACTION ITEMS**

A. **Procurement Policy** – Mr. Van Etten stated the first sentence of Section 8.2 is incomplete. Mr. Alger stated that will be changed to read “Selection of a provider of Professional Services up to \$10,000 per instance shall be at the discretion of the SCLBC Treasurer, Chairperson of the SCLBC, or authorized designee”.

**MOTION: ADOPTING THE PROCUREMENT POLICY AS PRESENTED WITH THE AMENDMENT TO THE FIRST SENTENCE IN SECTION 8.2 AS FOLLOWS: “SELECTION OF A PROVIDER OF PROFESSIONAL SERVICES UP TO \$10,000 PER INSTANCE SHALL BE AT THE DIRECTION OF THE SCLBC TREASURER, CHAIRPERSON OF THE SCLBC, OR AUTHORIZED DESIGNEE” MADE BY MAYOR VONHAGN. SECONDED BY MR. WHEELER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. **Property Acquisition Policy** – Mr. Alger distributed the Property Acquisition policy which was drafted by Arbor Development. The intent is to give us a structure for how we acquire properties. Mayor VonHagn asked on the last page, under the list of details regarding every parcel, should it also include neighborhood impact? Mr. Van Etten replied it should.

**MOTION: ADOPTING THE REAL PROPERTY ACQUISITION POLICY WITH THE INCLUSION OF “NEIGHBORHOOD IMPACT” UNDER THE LIST OF DETAILS REGARDING EVERY PARCEL MADE BY MR. HAURYSKI. SECONDED BY MR. DONNELLY. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. **Budget** – Mr. Alger explained the NYS Public Authorities Office wants us to have a budget plan. He stated this includes a half-year budget for 2017. Mayor VonHagn asked for a definition of the municipal contribution. Mr. Alger replied that was the contribution from the City of Hornell.

*Secretary’s Note: Mayor VonHagn was excused from the meeting.*

D. **Contract with Law Department** – Ms. Prossick stated the Law Department can represent you on certain issues, but we need to have a contract in place. Mr. Alger stated they will do what they can, but with anything where there is a conflict, Jeff Squires will pick it up. Mr. Van Etten asked would the transfer of properties from the tax sale to the land bank be a conflict? Ms. Prossick replied yes and Mr. Squires will pick those up at a cost of \$500 per closing. We will draft up a contract template for consideration by the Administration Committee.

E. **Ratifying \$400 Expense for IRS Application** –

**MOTION: RATIYING THE EXPENDITURE OF \$400 FOR IRS APPLICATION FOR RECOGNITION OF TAX-EXEMPT STATUS MADE BY MR. WHEELER. SECONDED BY MR. DONNELLY. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MAYOR VONHAGN ABSENT FOR VOTE)**

F. **Audit Proposal – Bonadio** – Mr. Alger informed the Board they received a proposal from Bonadio to provide Audit services at a cost of \$6,500 per year and for subsequent years, up to \$7,000 per year.

**MOTION: AWARDING THE PROPOSAL FOR AUDIT SERVICES TO BONADIO FOR A FEE NOT TO EXCEED \$6,500 FOR YEAR ENDING DECEMBER 31, 2017; AND NOT TO EXCEED AN AMOUNT BETWEEN \$6,500 AND \$7,000 FOR EACH OF THE YEARS ENDING DECEMBER 31, 2018 AND 2019 MADE BY MR. HAURYSKI. SECONDED BY MR. DONNELLY. ALL BEING IN FAVOR. MOTION CARRIES 5-0. (MAYOR VONHAGN ABSENT FOR VOTE)**

G. **RFP Results – Insurance/Indemnification** – Mr. Alger informed the Board that they received one response from Rose & Kiernan, who is also the County’s insurance broker. He requested the Board approve having Rose & Kiernan as their broker. The fee will be based on a commission. After that, he would like to have a phone conference with Lee Pollock to discuss what we received for quotes on coverage.

**MOTION: NAMING ROSE & KIERNAN AS THE INSURANCE BROKER FOR THE STEUBEN COUNTY LAND BANK CORPORATION MADE BY MR. DONNELLY. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. (MAYOR VONHAGN ABSENT FOR VOTE)**

Mr. Alger stated the gist of what we are up against is the New York State Scaffold Law. Without going into the ins and outs of insurance, there are two levels of coverage. We have talked with several different carriers to find coverage. Evanston has coverage that is not as comprehensive and the estimate is \$6,500 - \$7,000 annually. If we wanted to have full coverage, which would cover the Scaffold Law, we are talking between \$25,000 - \$30,000 annually. If we opted for the lower cost coverage, we would need to make sure that the land bank was named the additional insured, and we would need to make sure that all of the contractors named us additional insured. There would be more due diligence on our end, but would be at less cost.

Mr. Van Etten commented we would need to be the additional insured and be held harmless with them. Mr. Alger stated that is correct. That risk/liability is transferred back to us as we are the property owner. Ms. Prossick commented that cost gets pushed to the contractor. You would have to include in the specs that you have that rider.

Mr. Donnelly asked the County controls the land bank with directors. Even if we have insurance on the land bank, is the County likely to get sued? Ms. Prossick replied there is that possibility and we need to make sure the lines between the County and the land bank are clearly defined.

Phone conference initiated with Lee Pollock of Rose & Kiernan.

Mr. Pollock stated that he will summarize the issue and discuss the levels of coverage. Essentially, there are two issues. The first is Directors/Officers coverage. We received a quote from Philadelphia, which has excellent coverage. The second issue is general liability; primarily the land bank’s ownership of properties around the County while being renovated or demolished. In New York State, the owner of a property has a non-delegable duty to make sure, while construction is going on, that the property is safe. There are two ways to do that. The first is to purchase insurance and the second is to hire many lawyers to enforce contractual rights. To purchase insurance is expensive. We are waiting on those numbers, however, we expect the cost to be in the range of \$30,000 per year. A general contractor that is a not-for-profit will be paying \$25,000 - \$30,000 to subcontract out, but still acts on your behalf.

Mr. Pollock stated Evanston provided a quote of \$3,000 per year to provide coverage, except they will not enforce your contractual rights for an uninsured contractor. You only are relying upon your contractual obligation for contractors to protect you against these types of claims.

Mr. Van Etten stated the \$3,000 quote for coverage is just for basic insurance, but not anything to cover Labor Law or accidents on the job site. If we did the additional coverage, that would be another \$20,000 on top of the \$3,000? Mr. Pollock replied no, it would not be another \$20,000. It would be \$20,000. We are working to firm that number up. On your behalf, we have been going to insurance companies searching for quotes.

*Secretary’s Note: Mr. Hauryski was excused from meeting.*

Mr. Alger stated the quote from Evanston, for a total of \$3,000 includes \$1,700 - \$1,800 for D & O and \$500.00 per project for builders' risk. He asked, in Mr. Pollock's opinion, is that sufficient coverage? Mr. Pollock replied he cannot make that decision for you. The D & O and builders' risk is sufficient. The problem with the Labor Law coverage is that in New York State, it is a big exposure. Someone could sue you for duties under the Labor Law, but also as an officer of a corporation. Your D & O would respond to that. You have legal costs to enforce your contractual rights should there be a Labor Law claim at one of the sites you own. Mr. Pollock stated he cannot make that decision for you regarding a recommendation. If you can afford to buy the Labor Law protection, buy it. If you have a claim, you turn it over to your insurance carrier and you are done. If you do not purchase that coverage, then that falls in the realm of legal.

Mr. Alger asked would you like us to get more quotes? Mr. Van Etten replied he thinks that would be a good idea. It pains him to think we would spend that money and not have a claim, but to not have that coverage is foolish in this State. Mr. Alger stated they will explore this issue more.

Mr. Pollock stated he has gone to the four other land bank corporations through the State and asked who is providing coverage. Half of the corporations have responded and he will be making a report by email shortly. It sounds as though you are on the right track.

**V. OTHER BUSINESS**

A. **Next Meeting** – The proposed date for the next meeting was Wednesday, July 26, 2017; however, due to conflicts for many of the board members present, an email poll will be sent to members to determine a new date.

**MOTION: TO ADJOURN MADE BY MR. WHEELER. SECONDED BY MR. DONNELLY. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MAYOR VONHAGN AND MR. HAURYSKI ABSENT FOR VOTE)**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**STEBEN COUNTY LAND BANK CORPORATION**

***Special Meeting***

*Tuesday, July 11, 2017*

*8:30 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**PRESENT:** Joseph J. Hauryski, Chairman, Steuben County Legislature  
Scott J. Van Etten, Legislator, District 13  
Pat Donnelly, Steuben County Commissioner of Finance  
Jack K. Wheeler, Steuben County Manager  
Mark Ryckman, Corning City Manager  
William von Hagn, Mayor, Village of Bath  
Shawn D. Hogan, Mayor, City of Hornell

**OTHERS:** Mitchell Alger, Steuben County Deputy County Manager  
Jennifer Prossick, Steuben County Deputy County Attorney  
Carol A. Ferratella, Legislator, District 13  
Hilda T. Lando, Legislator, District 2  
Robin K. Lattimer, Legislator, District 3  
K. Michael Hanna, Legislator, District 5  
John V. Malter, Legislator, District 4  
Rocco Soda, Arbor Development  
Jeanie Glass, Arbor Development

**I. CALL TO ORDER**

Mr. Van Etten called the meeting to order at 8:30 a.m. and led the Pledge of Allegiance.

**II. ACTION ITEMS**

A. **Tax Sale Properties** – Mr. Donnelly informed the Board that his office received thirteen show cause orders directing us to take the properties out of the tax sale auction and accept the taxes. Some of the properties that we voted on at the last meeting have show cause orders. Mr. Alger stated at the last meeting the Board voted on tax sale parcel #55, #49 and #92. Of those, only tax sale #49 remains. He stated that he sent out an email regarding the possibility of tax sale parcel #20 or #21. We are recommending #20, which is located in the Village of Bath.

Mr. Wheeler asked on the properties with the show cause orders, have they come up with the taxes? Mr. Donnelly replied most make payment immediately. Mr. Soda commented they evaluated four properties in the Village of Bath and tax sale parcel #20 has the highest neighborhood impact.

**MOTION: RECOMMENDING TO THE STEUBEN COUNTY FINANCE COMMITTEE, THE REMOVAL OF TAX SALE PARCEL #20 FROM THE 2017 TAX SALE AUCTION MADE BY MR. WHEELER. SECONDED BY MR. RYCKMAN. ALL BEING IN FAVOR. MOTION CARRIES 7-0.**

Mr. Alger stated because we lost the parcel in North Hornell, he recommended looking at sale tax parcel #89 in the City of Hornell. Mayor Hogan commented this could also be a demolition and then sell the lot.

**MOTION: RECOMMENDING TO THE STEUBEN COUNTY FINANCE COMMITTEE, THE REMOVAL OF TAX SALE PARCEL #89 FROM THE 2017 TAX SALE AUCTION MADE BY MAYOR HOGAN. SECONDED BY MAYOR VON HAGN. ALL BEING IN FAVOR. MOTION CARRIES 7-0.**

Mr. Alger recommended looking at tax sale parcel #50 in the City of Corning. Mr. Malter asked is the acquisition cost of these properties the taxes? Mr. Wheeler replied yes, without penalties.

**MOTION: RECOMMENDING TO THE STEUBEN COUNTY FINANCE COMMITTEE, THE REMOVAL OF TAX SALE PARCEL #50 FROM THE 2017 TAX SALE AUCTION MADE BY MAYOR VON HAGN. SECONDED BY MAYOR HOGAN. ALL BEING IN FAVOR. MOTION CARRIES 7-0.**

**III. OTHER BUSINESS**

A. **Next Meeting** – The next meeting has been scheduled for Wednesday, August 9, 2017, at 11:00 a.m.

**MOTION: TO ADJOURN MADE BY MR. DONNELLY. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 7-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**STEUBEN COUNTY LAND BANK CORPORATION (SCLBC)**

*Wednesday, August 9, 2017*

*11:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**PRESENT:** Scott J. Van Etten, Legislator, District 13  
Pat Donnelly, Steuben County Commissioner of Finance  
Jack K. Wheeler, Steuben County Manager  
William von Hagn, Mayor, Village of Bath

**OTHERS:** Mitchell Alger, Steuben County Deputy County Manager  
Jennifer Prossick, Steuben County Deputy County Attorney  
Scott Sprague, Steuben County Risk Manager  
Kelly H. Fitzpatrick, Legislator, District 3  
Jeanie Glass, Arbor Development  
Jake Fitzpatrick

**ABSENT:** Joseph J. Hauryski, Chairman, Steuben County Legislature  
Mark Ryckman, Corning City Manager  
Shawn D. Hogan, Mayor, City of Hornell

**I. CALL TO ORDER**

Mr. Van Etten called the meeting to order at 11:00 a.m. and led the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JULY 11, 2017, MEETING MADE BY MR. WHEELER. SECONDED BY MR. DONNELLY. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. ACTION ITEMS**

A. **Insurance Coverage** – Mr. Van Etten stated that in the email that was sent to the board, Mr. Donnelly had called out different areas regarding the insurance. Mr. Alger stated he has asked the broker for more information on those areas and has not heard anything back, however, he does not know that it will impact the price. With regard to the quote for the four properties, we have them listed as rehabs rather than demos, but the insurance listed them as demos. Mr. von Hagn stated in his experience, the demo coverage was much higher. Mr. Alger commented perhaps they listed them as demo coverage to cover the worst case scenario. If you want Labor Law coverage, that is what you are paying the higher premiums for on the first option.

Mr. Van Etten stated we still need to get the hold harmless. Do we do that, or does Arbor? Mr. Alger replied probably us, but that can be a joint effort. Mr. von Hagn stated it starts as a construction rate and then drops to a homeowner rate. If we don't pass this today, can we get answers first? Mr. Wheeler replied it would delay us. We could do a motion to not exceed the quoted costs.

**MOTION: AWARDING THE RFP FOR INSURANCE COVERAGE FOR THE STEUBEN COUNTY LAND BANK CORPORATION TO COLONY INSURANCE COMPANY FOR GENERAL LIABILITY COVERAGE, INCLUDING LABOR LAW COVERAGE FOR AN ANNUAL COST NOT TO EXCEED \$21,383.71 AND TO PHILADELPHIA INDEMNITY COMPANY FOR DIRECTORS AND OFFICERS COVERAGE FOR AN**

**ANNUAL COST NOT TO EXCEED \$1,572.00 MADE BY MAYOR VON HAGN. SECONDED BY MR. DONNELLY. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Mr. Alger stated he spoke with Mr. Sprague earlier and the insurance agencies do not really know what to do with the land banks. There is no history to go by. Arbor is using Philadelphia who refused to quote anything but Directors and Officers coverage for us. Mr. Van Etten commented for the future, as we are moving houses in and out, we will have to update the insurance every time. Is this a one-year contract? Mr. Alger replied yes.

**IV. DISCUSSION**

A. **Rehab/Demo Plan** – Mr. Alger stated today they would like to have a general discussion about the overall feelings of the Board and where you want to go with the houses. We need to get into all of the houses and get a real feel for what we are working with and make a determination on whether we are rehabbing or demolishing. If the houses are rehabbed, we need to determine the scope of work. He commented that over the past month they have been pretty busy. The acquisition process was started with Jeff Squires and we will also be working with the Law Department on those. He has prepared the paperwork for the grantor and sent a draft of our disbursement request. We are requesting \$152,000. Some of that will be used for environmental work, acquisition costs as well as some of the costs we may incur for general maintenance and utilities. Of that, \$50,000 will be used for general starting construction. The other piece will be used to pay for two quarters of Arbor’s payments. That is our current plan and everything is hinged on the insurance.

Mr. Van Etten asked once the properties are acquired, how many will be occupied? Mr. Alger replied we do not think any of them will be occupied. Mr. Van Etten asked with the acquisitions, are we doing a walk-through and assessment on all four at the same time, or one at a time? Mr. Donnelly replied the home that we stated would be the money maker will end up being quite a rehab. Ms. Glass stated that property we estimated a cost of \$35,000 and we may max that. We can start the environmental work. With regard to the property on Onondaga Street, we need to get into that one more time and get a scope of work. We could possibly have a construction plan and have the spec ready by the next meeting. Mr. Alger stated the grantor has to approve our plan for each property.

Mayor von Hagn asked what are the mechanics for keeping the utilities on? Mr. Alger replied we will turn them on and the cost will be reimbursed to us under the grant. Mr. Van Etten asked what does the environmental work entail? Ms. Glass replied as a condition of the grant, we are required to do Phase I environmental work which consists of testing for lead, asbestos and mold.

Mr. Van Etten asked can we get a summary list? Mr. Alger replied yes. Our plan is to have a summary list of the properties by next month. Then the committee can review the proposed work plans and give approval to proceed. There may be some things that we can do in the meantime while the County has the property, such as bombing for fleas, etc. Ms. Glass commented we can request the environmental work while the County still retains the properties, but will need to have someone go with us. We have a consultant who will perform the environmental work.

**V. OTHER BUSINESS**

A. **Next Meeting** – Mr. Alger stated he will be sending out a poll to the Board to determine the date of the next meeting.

**MOTION: TO ADJOURN MADE BY MR. WHEELER. SECONDED BY MR. DONNELLY. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**STEBEN COUNTY LAND BANK CORPORATION (SCLBC)**

*Wednesday, September 6, 2017*

*11:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**PRESENT:** Scott J. Van Etten, Legislator, District 13  
Jack K. Wheeler, Steuben County Manager  
Pat Donnelly, Steuben County Commissioner of Finance  
William vonHagn, Mayor, Village of Bath  
Shawn Hogan, Mayor, City of Hornell

**OTHERS:** Mitchell Alger, Steuben County Deputy County Manager  
Jennifer Prossick, Steuben County Deputy County Attorney  
Robin K. Lattimer, Legislator, District 3  
Steven P. Maio, Legislator, District 2  
Rocco Soda, Arbor Development  
Jeanie Glass, Arbor Development

**ABSENT:** Joseph J. Hauryski, Chairman, Steuben County Legislature  
Mark Ryckman, Corning City Manager

**I. CALL TO ORDER**

Mr. Van Etten called the meeting to order at 11:00 a.m. and lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE AUGUST 9, 2017, MEETING MADE BY MR. WHEELER. SECONDED BY MAYOR HOGAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DISCUSSION/ACTION ITEMS**

A. **Treasurer's Report** – Mr. Alger distributed copies of the first Treasurer's Report that Mr. Donnelly prepared for the Board. Mayor Hogan commented that you will have the City of Hornell's \$25,000 contribution after Monday's audit. Mr. Alger stated there is around \$23,000 coming out for insurance and there is also a pending disbursement of approximately \$100,000 from the grantor.

Mr. Alger stated with regard to insurance, the Corporation is now fully insured. As we go further along in the process, we will need to look at additional insurance for builder's risk for when we are doing the rehabs. This is something that he will discuss with our insurance broker. He stated that the \$100,000 disbursement we received from the grantor will be used for the acquisition costs of the properties, closing costs, the environmentals on the four acquisitions, some maintenance while we are holding the properties, and two quarters of payments to Arbor Development.

B. **Authorization to Proceed with Projects** – Ms. Glass distributed a summary outlining the status of each of the four properties. All properties are in the process of getting the environmental work done; specifically Phase I and asbestos. We also are looking at a lead analysis on the two rehabs. Mr. Alger stated that he would like the group to go on record with regard to the way we are proceeding with each of the properties. At this point we have determined that two will be demos and two will be rehabs.

Mr. Soda stated they are recommending demolishing the Wells Street property in the City of Hornell. If we were to rehab the property, it would cost \$117,000; but we only would be able to sell the property for about \$80,000 so that would be a loss of \$50,000. Mayor Hogan commented that he has not been in it; however, he knows the damage that cats can do. If the County does the demolition, it would be cheaper than rehabbing and we could recoup some of that cost. Mr. Soda commented it would be about a \$20,000 loss after all is said and done.

Mr. Soda stated that the Wells property has about 6 inches of cat feces in it. They can contract with someone to clear out both the Wells and Onondaga properties. The County is helping with the Washington and Kingsbury properties. Mr. Donnelly stated we need to talk to Public Works about those.

Mr. Wheeler asked with the Wells property; can we condemn it and consider an asbestos contained demolition? He doesn't know if that would be an option. Mayor Hogan stated the City of Hornell can assist with the houses. We can get a waiver for the \$4,000 that you would have to pay the Department of Health as it would be considered a municipal government demolition. We can just say that it is a public safety concern, post it, condemn it and demolish it. Mr. Wheeler commented we would need to talk to our folks to make sure they could do it.

Mr. Soda stated the other property they are recommending for demolition is Washington Street in Bath. We have ordered the Phase I and asbestos survey and can start putting it out to bid for demolition. Mayor vonHagn commented that he will talk with his Code Enforcement Officer to see if we need to do an abatement or if we could do a contained demo. Mr. Soda stated they will postpone the asbestos surveys on the demolitions.

Mayor Hogan commented that in Hornell, the BOCES students have been working on modular home projects. Washington Street would be a good location for one of those modular homes and they could put it up and have it ready for sale. Mayor vonHagn stated that he would be interested in that and would like to meet with Mayor Hogan to discuss it further.

Mr. Soda stated they are recommending rehabilitation on the Kingsbury Street property located in Corning. This is a small home and we did change the scope of work. The new scope changes the layout and opens it up more and increases the size of the bedroom. We estimate the work to be in the \$70,000 - \$75,000 range. As soon as we get the drawings, we can put this out to bid. We also will be removing the garage and the fence. Prior to the work scope being changed, we had estimated a rehab cost of \$65,000. The comps in this area support reselling the property at \$100,000.

**MOTION: AUTHORIZING ARBOR DEVELOPMENT TO PROCEED WITH PLANS TO DEMOLISH THE WELLS STREET PROPERTY IN THE CITY OF HORNELL AND THE WASHINGTON STREET PROPERTY IN THE VILLAGE OF BATH; AND AMENDING THE REHABILITATION PLAN FOR THE KINGSBURY STREET PROPERTY IN CORNING TO CHANGE THE SCOPE OF WORK TO CREATE A MORE OPEN LAYOUT, INCREASE THE MASTER BEDROOM AND DEMOLISH THE GARAGE AND FENCE MADE BY MAYOR HOGAN. SECONDED BY MAYOR VONHAGN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Soda stated that with the Onondaga property, they do not have a scope of work yet. This property has been bombed for fleas and we will have to wait for that problem to be resolved before we can go back in and continue our assessment. There is an in-ground pool. A decision needs to be made as to whether to restore or fill it in. We did receive a proposal from Stuart Pools to restore and that came in at \$12,000. We also received a proposal from DeWalt to fill it in for \$5,000. He stated they are recommending filling it in, and this cost can be included in the general construction. The Board was in agreement with filling in the in-ground pool.

Mayor Hogan asked with regard to the demolitions, are you going to bid them or is it something the County can do? Mr. Wheeler replied it depends on Public Works' schedule. We will look at our options.

C. **Authorization to Bid Projects**

**MOTION: AUTHORIZING ARBOR DEVELOPMENT TO PUT OUT BIDS RELATIVE TO REHABILITATION AND DEMOLITION PROJECTS MADE BY MR. DONNELLY. SECONDED BY MAYOR HOGAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

IV. **OTHER BUSINESS**

A. **Tax Exempt Status** – Mr. Donnelly informed the Board that he did submit an application for recognition of the Corporation’s tax exempt status. If we do not hear anything back within six months, then we should follow up.

B. **Next Meeting** – The next meeting will be held on Wednesday, October 11, 2017, at 11:00 a.m. in the Legislative Committee Room.

**MOTION: TO ADJOURN MADE BY MR. WHEELER. SECONDED BY MR. VONHAGN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**STEBEN COUNTY LAND BANK CORPORATION (SCLBC)**

*Wednesday, October 11, 2017*

*11:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**PRESENT:** Scott J. Van Etten, Legislator, District 13  
Jack K. Wheeler, Steuben County Manager  
Joseph J. Hauryski, Chairman, Steuben County Legislature  
William vonHagn, Mayor, Village of Bath

**OTHERS:** Mitchell Alger, Steuben County Deputy County Manager  
Tammy Hurd-Harvey, Steuben County Deputy Commissioner of Finance  
Robin K. Lattimer, Legislator, District 3  
Kelly H. Fitzpatrick, Legislator, District 3  
Jeanie Glass, Arbor Development  
Rocco Soda, Arbor Development  
Brooke Clark  
Mary Perham

**ABSENT:** Pat Donnelly, Steuben County Commissioner of Finance  
Mark Ryckman, Corning City Manager  
Shawn Hogan, Hornell City Mayor

**I. CALL TO ORDER**

Mr. Van Etten called the meeting to order at 11:00 a.m. and led the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE SEPTEMBER 6, 2017, MEETING MADE BY MR. WHEELER. SECONDED BY MAYOR VONHAGN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. DISCUSSION/ACTION ITEMS**

A. **Update on 137 East Washington Street, Bath Property** – Mr. Alger stated that a neighbor who had previously made an offer to purchase this property has withdrawn his offer. However, he indicated that he was very interested in the possibility of a BOCES home being constructed there. Mayor vonHagn commented that he has talked about the village having the opportunity to purchase the property. He met with Mayor Hogan and learned about the BOCES housing program. The question is whether the village can purchase this property out of the Land Bank. He indicated that he has not discussed this with his board, but he is looking into the possibility.

Mr. Van Etten asked if you did purchase the property, would you want it demolished prior to purchase? Mayor vonHagn replied we would need to look at that. Mr. Alger stated his reaction initially is that the Land Bank has grant funds to do the demolition and the process for that has already started. His thought would be to continue with the demolition as planned.

B. **Approval to Reimburse Arbor for Various Expenses** – Mr. Alger stated Arbor has incurred some expenses. There were some freezers at a couple of locations that needed to be removed and disposed of. Since the County is still in title and the properties are not in the possession of the Land Bank at this time, it might be appropriate to

reimburse Arbor for this cost. Additionally, they needed to secure fencing around the pool that we will be removing from the Onondaga property. Total reimbursement to Arbor is \$3,300.

**MOTION: AUTHORIZING THE LAND BANK TO REIMBURSE ARBOR DEVELOPMENT \$3,300 REPRESENTING COSTS ASSOCIATED WITH THE REMOVAL AND DISPOSAL OF FREEZERS AT VARIOUS LOCATIONS AND THE INSTALLATION OF FENCING AROUND THE POOL AT THE ONONDAGA PROPERTY MADE BY MR. HAURYSKI. SECONDED BY MR. WHEELER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. **Awarding Bid for Kingsbury Property** – Mr. Alger stated they received two bids on the rehab of the Kingsbury property; Franzese for \$78,271 and CRC Improvements for \$90,000. He recommended awarding to the low bidder, Franzese. Normally our purchasing policy requires three bids, however, an exception is made if an effort was made to get more bids. Mr. Alger stated that Arbor did make that effort. Mr. Soda stated they sent out five bid packets and four vendors toured the property. Mr. Van Etten asked will we be taking the alternatives offered in the bid? Mr. Soda replied yes.

**MOTION: AWARDING THE BID FOR THE REHABILITATION OF THE KINGSBURY PROPERTY TO THE LOW BIDDER, FRANZESE FOR A TOTAL COST OF \$78,271 MADE BY MAYOR VONHAGN. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. **Demolition Update** – Mr. Alger stated we have had discussions with Public Works and Buildings & Grounds regarding demolition. One of the requirements for an asbestos demolition is that you have one certified operator and two handlers. Public Works currently does not have a certified operator or two handlers. Mr. Wheeler commented Mr. Rose is certified to run the excavator, but we need to have two people on the ground. When we demolished the two houses for the new building project, we did find it cheaper to hire a company that came in and did the contained demolition for \$10,000. That is less costly than doing a separate survey, abatement, and demolition.

Mr. Alger stated this is something that we would bid, and we would include the County doing the trucking and hauling to the Landfill. Mr. Van Etten asked did you do a workup for the demolition cost? Mr. Soda replied we did an estimate of \$20,000 as an average, but did not do a detailed workup. Do you need our involvement? Mr. Alger commented that he sent the information on what the County did with the demolition project for the new office building. Mr. Wheeler stated Arbor may be able to get better pricing than we could. Mr. Alger commented when we put out the bid, we will probably indicate that they can bid on either property, or both as a package.

Mr. Hauryski asked are the houses condemned now? Mr. Wheeler replied no. The code enforcement officer will need to work with us on that.

E. **Builders Risk Insurance** - Mr. Alger stated that he is in the process of getting quotes on Builders Risk Insurance for the two rehabilitation projects. He should have that information for next month.

F. **Disbursement from LISC** – Mr. Alger stated the next time we receive a disbursement from LISC, he will have it come directly to the Land Bank rather than running it through the County.

G. **Executive Director** – Mr. Alger stated we should discuss having an Executive Director for the Land Bank. Currently, the closest thing we have is Arbor Development. Typically, you would have an Executive Director for liability purposes as well as signatures. Does it make sense to name an Executive Director for signature purposes? He commented that he is not officially an officer of the Land Bank and would be able to perform this function.

**MOTION: AUTHORIZING AN AGREEMENT WITH STEUBEN COUNTY FOR EXECUTIVE DIRECTOR STAFFING SERVICES, SUCH SERVICE TO BE PROVIDED BY MITCHELL ALGER MADE BY MR. WHEELER. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**IV. OTHER BUSINESS**

A. **Next Meeting** – The next meeting has been scheduled for Wednesday, November 8, 2017, at 1:00 p.m.

B. **Project Update**

a. *Kingsbury* - Ms. Glass distributed an overview of the progress on all four properties. With the Kingsbury property, we will need to have the Builders Risk Insurance in place before we can proceed any further. Mr. Alger commented we will also need to complete the transfer of property. Ms. Glass stated once that is done, Arbor will award the contract and we will begin doing 30-day draws for the contractor.

b. *Onondaga* – Ms. Glass stated they expect to finish the specs by October 17<sup>th</sup>, at which time they will be reviewed. They anticipate putting out the bids on October 20<sup>th</sup> and we should be able to get those bids back prior to the next meeting for the committee to review.

Ms. Glass stated they do need to do a land use agreement. Mr. Soda explained it was determined at the last meeting that we would fill the pool in. In order to get access to do that, we will need to go through the neighbor's backyard. The neighbor has agreed to that for a fee of \$300 with the contractor to pay for any damage incurred. The Land Bank would need to pay the landowner for this.

Ms. Glass stated going forward, they will be loading all of this information into a contract management program which will allow them to share information with the Land Bank and keep you updated. Mr. Soda stated they will also expand the expenditure spreadsheet to include timelines.

**MOTION: TO ADJOURN MADE BY MAYOR VONHAGN. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**STEBEN COUNTY LAND BANK CORPORATION (SCLBC)**

*Wednesday, November 15, 2017*

*1:00 p.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**PRESENT:** Scott J. Van Etten, Legislator, District 13  
Jack K. Wheeler, Steuben County Manager  
Pat Donnelly, Steuben County Commissioner of Finance  
William vonHagn, Mayor, Village of Bath

**OTHERS:** Mitchell Alger, Steuben County Deputy County Manager/SCLBC Executive Director  
Robin K. Lattimer, Legislator, District 3  
Kelly H. Fitzpatrick, Legislator, District 3  
Jennifer Prossick, Steuben County Deputy County Attorney  
Roco Soda, Arbor Development  
Carl Cook, Arbor Development  
Mary Perham  
Jeff Smith, *The Leader*

**ABSENT:** Joseph J. Hauryski, Chairman, Steuben County Legislature  
Mark Ryckman, Corning City Manager  
Shawn Hogan, Hornell City Mayor

**I. CALL TO ORDER**

Mr. Van Etten called the meeting to order at 1:00 p.m.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE OCTOBER 11, 2017, MEETING MADE BY MR. DONNELLY. SECONDED BY MR. WHEELER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. DISCUSSION/ACTION ITEMS**

A. **Awarding Bid for Onondaga Property Rehab** – Mr. Soda stated they received five bids for the Onondaga rehab project and there was some disparity. All bids received were over budget. Contributing factors were that the actual damage was worse than anticipated and there were various code issues. The work to be done includes filling in the pool, removing the fencing, sealing the driveway, installing new floors, painting and redoing the bathrooms. The low bid came in at \$94,700. Our all in cost is \$150,000 which still leaves us with an estimated \$30,000 return on investment.

Mr. Wheeler asked how will change orders work? Will there be a not to exceed amount? Mr. Alger replied he does not know the answer to that question. The next step after approving the bids is for LISC to approve. If we are spending grant money on the change orders, then it would need to go to LISC for approval. Mr. Wheeler suggested having the Executive Director approve anything up to a certain dollar amount. Mr. Alger stated he will follow up with LISC on this.

**MOTION: AWARDING THE BID FOR THE ONONDAGA REHAB PROJECT TO THE LOW BIDDER, CRC IMPROVEMENTS, FOR A TOTAL COST OF \$94,700 MADE BY MR. WHEELER. SECONDED BY MR. DONNELLY. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. **Demolition Update** – Mr. Soda informed the committee they received four bids. The bid amounts include the County hauling the material and waiving the tipping fee. The low bidder was MJR at \$18,220 for both the Wells and Washington properties. Mr. Wheeler stated in the interest of full disclosure, MJR is a cousin of our Superintendent of Buildings & Grounds, Eric Rose. Mr. Rose has not in any way been involved in this process.

**MOTION: AWARDING THE BID FOR THE DEMOLITION OF THE WELLS AND WASHINGTON PROPERTIES TO THE LOW BIDDER, MJR FOR A TOTAL COST OF \$18,220 MADE BY MAYOR VONHAGN. SECONDED BY MR. DONNELLY. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. **Treasurer's Report** – Mr. Alger provided the committee with a copy of the Treasurer's report. This is just an FYI of where we are at with some of our spending. He stated that he is working on a budget. Mr. Donnelly commented we may need to revise the budget we submitted to LISC based on the bids received.

**MOTION: AUTHORIZING MITCHELL ALGER TO SUBMIT AN UPDATED BUDGET TO LISC BASED UPON THE RESULTS OF THE BIDS MADE BY MR. DONNELLY. SECONDED BY MR. WHEELER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. **Property Transfers/Insurance Update** – Mr. Donnelly stated the County is ready to convey title of the Kingsbury Avenue property. Mr. Alger commented the abstract for the Onondaga property is done and when the legal work is complete, we will start that project. Then the two demolition projects will follow.

**MOTION: AUTHORIZING MITCHELL ALGER TO SIGN THE APPROPRIATE PAPERWORK RELATIVE TO THE CONVEYANCE OF TITLE OF THE KINGSBURY PROPERTY MADE BY MR. VAN ETEN. SECONDED BY MAYOR VONHAGN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

#### **IV. OTHER BUSINESS**

A. **Next Meeting** – The next meeting has been scheduled for Wednesday, December 6, 2017, at 11:00 a.m.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. WHEELER. SECONDED BY MR. DONNELLY. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: AUTHORIZING MITCHELL ALGER TO SEVER THE RELATIONSHIP WITH WHITEMAN, OSTERMAN & HANNA MADE BY MR. DONNELLY. SECONDED BY MR. WHEELER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MAYOR VONHAGN. SECONDED BY MR. DONNELLY. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN MADE BY MR. DONNELLY. SECONDED BY MAYOR VONHAGN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**STEBEN COUNTY LAND BANK CORPORATION (SCLBC)**

*Wednesday, December 6, 2017*

*11:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**PRESENT:** Scott J. Van Etten, Legislator, District 13  
Joseph J. Hauryski, Chairman, Steuben County Legislature  
Jack K. Wheeler, Steuben County Manager  
Pat Donnelly, Steuben County Commissioner of Finance  
William vonHagn, Mayor, Village of Bath

**OTHERS:** Mitchell Alger, Steuben County Deputy County Manager/SCLBC Executive Director  
Robin K. Lattimer, Legislator, District 3  
Kelly H. Fitzpatrick, Legislator, District 3  
John V. Malter, Legislator, District 4  
Jennifer Prossick, Steuben County Deputy County Attorney  
Jeanne Glass, Arbor Development  
Danielle Paladino, Arbor Development

**ABSENT:** Mark Ryckman, Corning City Manager  
Shawn Hogan, Hornell City Mayor

**I. CALL TO ORDER**

Mr. Van Etten called the meeting to order at 11:00 a.m.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE NOVEMBER 15, 2017, MEETING MADE BY MR. WHEELER. SECONDED BY MAYOR VONHAGN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DISCUSSION/ACTION ITEMS**

A. **Authorizing Executive Director to Sign Paperwork Relative to Conveyance of Title** – Mr. Alger requested authorization to allow him to sign paperwork relative to accepting the conveyance of title from the County for the Onondaga, Wells and East Washington properties.

**MOTION: AUTHORIZING THE EXECUTIVE DIRECTOR TO SIGN ALL RELEVANT PAPERWORK RELATIVE TO THE ACCEPTANCE OF THE CONVEYANCE OF TITLE FROM THE COUNTY FOR THE ONONDAGA, WELLS AND EAST WASHINGTON PROPERTIES MADE BY MAYOR VONHAGN. SECONDED BY MR. DONNELLY. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. **Authorizing Executive Director to Enter into an Agreement with Steuben County** – Mr. Alger informed the committee that he met with Bath Village Code Enforcement and it seems like the best approach for the demolition at East Washington is to do it while the County still holds title. If the Board decides to do that, he will work with Marvin Rethmel. He stated the second piece of this is that we have several agreements between the Land Bank and the County. He would like to have a “master agreement” which would provide us with some efficiencies. If there was need for a change during the course of a project, that would go through the Finance Committee.

**MOTION: AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY FOR THE DEMOLITION OF THE EAST WASHINGTON PROPERTY AND CONSOLIDATING ALL PREVIOUS AGREEMENTS WITH STEUBEN COUNTY INTO ONE MASTER AGREEMENT MADE BY MR. DONNELLY. SECONDED BY MR. HAURYSKI FOR DISCUSSION.**

Mayor vonHagn asked will this Board get to review those agreements that you are consolidating? Would we be approving something that we have not seen? Mr. Alger explained right now the only agreements that you have with the County are for the Executive Director and the Law Department to act as your agent. We would like to try to consolidate those agreements, along with the agreement for the demolition of the East Washington property. If there were to be anything else, that would come to the committee. Ms. Prossick clarified you are adding an addendum.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. **Property Update** – Ms. Glass introduced Danielle Paladino who is new to their agency. She stated that the Kingsbury property bids were approved. We have been working on the contract with Franzese to start work. We included the insurance requirements of the County and the Land Bank in the bid. When the underwriter reviewed the contract, they indicated we need \$5 million in excess liability and we need to add the Land Bank as an additional insured. We went back to the contract because they did not have the \$5 million in excess. We are having difficulty with their insurance company as they do not want to add the additional insured and we are being told we need to make an application to apply for a quote.

Ms. Glass stated at the same time, the contract for Onondaga is ready. That insurance company is not having any issues with it. Both properties are going through the same insurance company, but with a different underwriter. Unfortunately, this is delaying the Kingsbury project. Franzese is ready to go and we are trying to expedite this insurance piece. With this delay we are now looking at a start date of the beginning of March.

Mr. Alger stated we had asked for a 10 percent contingency on both projects. If there is an increase in the project budget due to the delay, they will submit a change order. When they did the bids, we were only aware of what the grant required for insurance for the contractors and we did our due diligence and sent it to our insurance carrier to make sure everything was good. Mr. Wheeler commented we are talking with our Risk Manager to ensure that the insurance is reasonable. Mr. Alger stated we are working through that and incorporating it into the future so bidders will know the requirements at the front end.

Mr. Van Etten commented that could affect the list of potential bidders. Mr. Malter asked is there an indication of the cost for the additional \$5 million excess liability? Ms. Glass replied we should hear back sometime this afternoon. Mr. Wheeler commented it should not be a high cost. Ms. Glass stated we will keep you updated.

Ms. Glass stated with regard to the Wells property, we are waiting for the transfer to the Land Bank. Mr. Donnelly commented we have reached out to the incoming administration in the City of Hornell to see if they are copacetic with the way we are handling this.

D. **Budget Update** - Mr. Alger informed the Board that he sent in a disbursement request of approximately \$231,000. This covers both rehabs and demolitions and three quarters of administration costs for Arbor. He distributed a spreadsheet showing the modified program budget. This shows what we submitted originally and now has been updated to show what we are experiencing. The rehabs are coming in a little higher than we had anticipated when we applied for the grant. By the end of the fourth quarter of 2018, it looks like we will have to utilize some local dollars or the proceeds from the sale of the rehabs to finish the last two properties. The other option would be to do one less property. This is just a general overview. If we want to do eight properties during the course of the grant, we will need to reuse money from the sale of the rehabs to cover that cost.

E. **Treasurer's Report** – Mr. Donnelly reviewed the Treasurer's Report.

F. **Logo** – Ms. Glass distributed a sheet depicting 8 different prospective logos to use for the Corporation on contracts, letterhead and their website. The committee agreed to use the logo depicting four houses.

**IV. OTHER BUSINESS**

A. **Next Meeting** – The next meeting will be held on Wednesday, January 3, 2018, at 11:00 a.m. in the Legislative Committee Room.

**MOTION: TO ADJOURN MADE BY MR. DONNELLY. SECONDED BY MAYOR VONHAGN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature