

STEBEN COUNTY LAND BANK CORPORATION (SCLBC)

Monday, March 25, 2019

11:15 a.m.

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

****MINUTES****

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

OTHERS: Amy R. Dlugos/Planning Director/Interim SCLBC Executive Director
Jennifer Prossick, Steuben Deputy County Attorney
Tammy Hurd-Harvey, Steuben County Deputy Commissioner of Finance
Jeanne Glass, Arbor Development
Roco Soda, Arbor Development
Randolph J. Weaver, Steuben County Legislator – District 1
Hilda T. Lando, Steuben County Legislator – District 2
Heather Briggs, The Bonadio Group

ABSENT: Joseph J. Hauryski, Vice Chair, Steuben County Legislature Chairman – District 8
Mark Ryckman, Corning City Manager
John Buckley, Mayor, City of Hornell

I. CALL TO ORDER

Mr. Van Etten called the meeting to order at 11:15 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE FEBRUARY 6, 2019, MEETING MADE BY MR. DONNELLY. SECONDED BY MR. WHEELER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. PRESENTATION

A. *Audit Report* – Ms. Briggs presented the audit report of the Steuben County Land Bank Corporation for review. They have provided an unmodified opinion, which is the highest opinion you can receive. She reviewed the communication of matters related to internal control over financial reporting and other matters. There are three areas that we have asked management to consider. First, we noted there was no formal procedure for the tracking of in-kind services. Our recommendation is that the Corporation develops procedures to track the time spent on Land Bank activities by County employees. Second, we noted that the Corporation has not yet adopted an investment policy. Pursuant to Section 2925 of Public Authorities Law, every public authority and every public benefit corporation shall by resolution adopt comprehensive investment guidelines which detail the corporation’s operative policy and instructions to officers and staff regarding the investing, monitoring and reporting of funds of the Corporation. Our recommendation is that the Corporation adopts a written investment policy in order to be in compliance with Section 2925. Finally, during the audit, we noted that not all board members have attended the required Public Authorities training. Pursuant to Section 2824 of the Public Authorities Law, Authority board members must attend State-approved training regarding their legal, fiduciary, financial and ethical responsibilities as board members of an authority. Our recommendation is that all of the board members who have not attended training do so as soon as they are able.

MOTION: ACCEPTING THE AUDIT REPORT OF THE STEUBEN COUNTY LAND BANK CORPORATION AS PRESENTED BY THE BONADIO GROUP MADE BY MR. DONNELLY. SECONDED BY MAYOR VON HAGN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. *Treasurer's Report* – Mrs. Dlugos distributed copies of the Treasurer's Report for review.

C. *Project Updates*

- *161 Kingsbury (Corning)* – Mrs. Dlugos stated we have a signed purchase and sale agreement and we are awaiting the procurement of the mortgage. She requested authorization to reimburse the new homeowner for appliances up to the amount of \$1,500 upon presentation of receipts.

MOTION: AUTHORIZING THE INTERIM EXECUTIVE DIRECTOR TO REIMBURSE THE NEW HOMEOWNER OF 161 KINGSBURY (CORNING) FOR THE PURCHASE OF APPLIANCES UPON PRESENTATION OF RECEIPTS IN AN AMOUNT NOT TO EXCEED \$1,500 MADE BY MR. DONNELLY. SECONDED BY MAYOR VON HAGN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

- *23 Wells (Hornell)* – Mrs. Dlugos informed the Board that Habitat for Humanity is going to go look at this lot. They have indicated their service area has expanded to include the City of Hornell.
- *137 East Washington (Bath)* – Ms. Prossick stated they have requested a mortgage with a covenant to ensure the project is done within a year. She stated she has spoken to Franzese's attorney about this and they will be getting back to us. It looks as though this project is moving forward. Mr. Van Etten commented it is more like a performance contract. Ms. Prossick replied it pretty much is.
- *148 Terry (Hornell)* – Mrs. Dlugos stated there are still discussions between our insurance agent and the contractor's broker. The contractor's broker has issues with exclusions in the contractor's policy. We have talked with Scott Brandi and he has given Cool Insurance the authority to speak directly with the contractor's broker. The broker has issues with the exclusion for roofing issues and that the certificate does not have per project liability. Mrs. Dlugos stated she asked if that is out of line and Scott Brandi feels that it is important to protect the Land Bank.

Ms. Glass stated once the insurance is approved, we can start. We need this project to finish the LISC Grant so that we can get started on the Enterprise Grant. Mrs. Dlugos stated her concern is that she wants to make sure that the Land Bank is protected.

Mr. Soda asked if the contract has to increase the price of the project to accommodate the insurance requirements, do we have the authority to continue with the project? Mr. Van Etten stated it would depend on the cost. Mr. Donnelly commented we should retain the ability to approve that. Mr. Van Etten stated we will wait to see if he has an additional cost and then we can decide. We can do a poll by email, if necessary.

- *159-161 Columbia (Corning)* – Mrs. Dlugos stated we are waiting for the attorney for Habitat for Humanity to put the paperwork together to transfer the property to us for demolition. She requested authorization to sign the agreement to do the transfer of property for \$1.00 for the demolition and then to transfer it back to Habitat for Humanity for one half the demolition costs.

MOTION: AUTHORIZING THE INTERIM EXECUTIVE DIRECTOR TO SIGN AN AGREEMENT WITH HABITAT FOR HUMANITY FOR THE TRANSFER OF THE PROPERTY LOCATED AT 159-161 COLUMBIA STREET IN CORNING, FOR \$1.00 FOR THE PURPOSE OF DEMOLITION AND THEN AUTHORIZING THE TRANSFER OF SAID PROPERTY BACK TO HABITAT FOR HUMANITY MADE BY MR. DONNELLY. SECONDED BY MR. WHEELER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mrs. Dlugos asked once that transfer goes through, can we then go out for bids for the demolition? Mr. Soda stated we did the last two demolitions with a contractor via RFP. Mr. Wheeler stated that with a smaller house, the County may be able to do the demolition. If we cannot do the demolition, we can likely provide the trucking. He suggested Mrs. Dlugos talk with Mr. Spagnoletti and Mr. Orcutt.

D. *LISC Disbursement Request* – Mrs. Dlugos requested authorization to submit a request for reimbursement from the LISC grant. This will be our final disbursement from this grant.

MOTION: AUTHORIZING THE INTERIM EXECUTIVE DIRECTOR TO SUBMIT A REQUEST FOR THE FINAL LISC GRANT REIMBURSEMENT MADE BY MR. WHEELER. SECONDED BY MR. DONNELLY. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. *Enterprise Grant Award Update* – Mrs. Dlugos stated there is nothing new to report. We need to finish our LISC Grant before we can start the Enterprise Grant. Hopefully we will be able to get the Terry Street property work underway. We do need to get a list of properties for the Enterprise Grant. Mr. Donnelly stated he has 150 properties at this point. Mrs. Dlugos stated she has received information regarding vacant property around the County as well as a list of prospective properties from Mayor von Hagn.

Mr. Van Etten stated as we have discussed before, the population centers are in Bath, Corning and Hornell. Others have asked if we should be looking at other areas in the County. Mr. Wheeler stated we did look at other areas last year; there was a property in Lindley that we had looked over. If something comes up in other areas, we will definitely take it. We had also had some preliminary discussions about property in Wayland. The largest volume of properties are in the population centers.

F. *Agreement with Arbor* – Mrs. Dlugos informed the Board that we need to renew the agreement with Arbor. She will look to see if there are any changes that we may need to make.

G. *Election of Officers* –

MOTION: ELECTING THE FOLLOWING OFFICERS OF THE STEUBEN COUNTY LAND BANK CORPORATION: CHAIR – SCOTT VAN ETTEN; VICE CHAIR - JOE HAURYSKI; TREASURER – PAT DONNELLY; AND SECRETARY - JOHN BUCKLEY MADE BY MAYOR VON HAGN. SECONDED BY MR. WHEELER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

H. *Re-Adopting of Board Policies and Procedures* – Mrs. Dlugos stated we are required to annually adopt our policies and procedures. There have been no changes to the policies and procedures. Mr. Wheeler commented we should adopt the sample policy of the State for Sexual Harassment and certify that you have taken the training.

MOTION: ADOPTING THE FOLLOWING POLICIES AND PROCEDURES OF THE STEUBEN COUNTY LAND BANK CORPORATION: CONFLICT OF INTEREST, PROCUREMENT/FINANCIAL/BUDGET, REAL PROPERTY ACQUISITION, REAL PROPERTY DISPOSITION AND INTERNAL CONTROLS MADE BY MR. WHEELER. SECONDED BY MR. DONNELLY. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Secretary's Note: The Sexual Harassment Policy will be discussed and voted on at the May meeting.

IV. OTHER BUSINESS

A. *Assessment of Internal Controls and Investment Report* – Mr. Donnelly distributed copies of the 2018 Assessment of Internal Controls and the 2018 Investment Report for review.

MOTION: ADOPTING THE 2018 ASSESSMENT OF INTERNAL CONTROLS AND THE 2018 INVESTMENT REPORT AS PRESENTED BY THE TREASURER OF THE STEUBEN COUNTY LAND BANK CORPORATION MADE BY MAYOR VON HAGN. SECONDED BY MR. DONNELLY. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

V. NEXT MEETING

The next meeting will be held on Wednesday, May 1, 2019 at 10:30 a.m. in the Legislative Committee Room.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature