

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

*Wednesday, May 1, 2019*

*10:30 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  
Bill von Hagn, Mayor, Village of Bath  
John Buckley, Mayor, City of Hornell  
Mark Ryckman, Corning City Manager

**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  
Carol A. Ferratella, Steuben County Legislator – District 13  
Hilda T. Lando, Steuben County Legislator – District 2  
Robin K. Lattimer, Steuben County Legislator – District 3  
K. Michael Hanna, Steuben County Legislator – District 5

**ABSENT:** Joseph J. Hauryski, Vice Chair, Steuben County Legislature Chairman – District 8  
Pat Donnelly, Steuben County Commissioner of Finance

**I. CALL TO ORDER**

Mr. Van Etten called the meeting to order at 10:35 a.m.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE MARCH 25, 2019, MEETING MADE BY MR. WHEELER. SECONDED BY MAYOR BUCKLEY. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. RYCKMAN ABSENT FOR VOTE)**

**III. DISCUSSION/ACTION ITEMS**

A. **Treasurer's Report** – Mrs. Dlugos distributed the Treasurer's Report for review. This report shows that we paid the Auditors, are paying utility bills and have received the final disbursement from the LISC grant.

B. **Adoption of Sexual Harassment Policy** – Mrs. Dlugos provided the committee with a draft of the State's Sexual Harassment Policy.

**MOTION: ADOPTING THE STATE'S DRAFT SEXUAL HARASSMENT POLICY AS THE STEUBEN COUNTY LAND BANK CORPORATION'S POLICY MADE BY MR. WHEELER. SECONDED BY MAYOR BUCKLEY. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. RYCKMAN ABSENT FOR VOTE)**

**C. Project Updates (LISC Grant)**

- *161 Kingsbury (Corning)* – Mrs. Dlugos informed the committee there are two issues with the sale. First, the buyer's attorney wants a survey, which is scheduled to be done soon. Second, the attorney wants the buyer to have a title policy and is asking the Land Bank to pay for that. The cost is \$232.00. The concern is that the property has been foreclosed on twice in the past. The attorney

wants the seller to provide this policy to the buyer. That was not in the original agreement. Ms. Prossick commented having a foreclosure does not necessarily affect the marketability of title and title insurance is not necessary. Mayor von Hagn commented that for \$232.00 he would hate to see this property not sell.

Mrs. Dlugos commented it is grass growing season and she will see if the Mobile Work Crew could mow the grass at Kingsbury.

**MOTION: AUTHORIZING THE EXECUTIVE DIRECTOR TO PAY \$232.00 FOR TITLE INSURANCE FOR THE BUYER OF THE PROPERTY LOCATED AT 161 KINGSBURY STREET, CORNING, NY MADE BY MAYOR VON HAGN. SECONDED BY MAYOR BUCKLEY. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. RYCKMAN ABSENT FOR VOTE)**

- *23 Wells (Hornell)* – Mrs. Dlugos reported Habitat for Humanity is looking to make an offer, however they need the approval of their board. We anticipate they will have an offer for us by our June meeting.

Mayor Buckley stated he would suggest that if they are serious about developing this lot, that they run their plans by the Planning Board as it is an undersized lot and they will need a variance. Habitat for Humanity typically builds ranch style homes. Mrs. Dlugos commented we also have that issue on the Washington Street property in Bath.

Mr. Van Etten asked with the potential for this to be a Habitat for Humanity project, what is the ownership on that? Mrs. Dlugos explained they are going to make us an offer and we will see what that offer comes in at. Ms. Glass explained Habitat for Humanity assumed this property would be a donation. They will be filling out an application and will need to go through their board to get approval since it will be a purchase.

Mr. Van Etten with regard to the Habitat for Humanity, any properties that we transfer to them, do the requirements under the LISC income eligibility transfer? Mrs. Dlugos replied yes, it will be in the deed. Ms. Prossick explained Habitat for Humanity has similar requirements, so we will transfer it within the deed. Mr. Van Etten stated Habitat for Humanity has a number of properties that no action has been taken on. Is this something that will happen in a certain period of time? Ms. Glass replied in Corning they have been working quickly. Mrs. Dlugos stated LISC is pretty patient, but they will want to see it developed into a house.

- *148 Terry (Hornell)* – Mrs. Dlugos stated as of Monday, the contractor still needs to obtain one more insurance certificate. Once that certificate is obtained, the contractor will be able to commence work. She stated the asbestos has been abated from the location. Ms. Glass explained there was abatement on the porch roof. We will need a change order from the contractor for the porch roof and then we will give them the notice to proceed.

Mrs. Dlugos asked when this property is all ready to go, should we do another RFP for an agent to sell, or just do it through the website and Zillo? Mr. Van Etten commented he would advertise on the website and Zillo first. Mrs. Dlugos stated that Dan Kahabka in her office is putting together a “story map” for the website which will be more visual. You will click on the picture of the home and it will show you a map of the area along with a link to the Zillo listing.

- *159-161 Columbia (Corning)* – Mrs. Dlugos stated they have two issues; first the 2018 school taxes of \$128.00 need to be paid. The second issue is we need board authorization from the not-for-profit (Habitat for Humanity) in order to move forward. Ms. Prossick has contacted their attorney.

Mrs. Dlugos stated Fagan Engineers did an asbestos survey and determined there is a lot of asbestos under all the siding. Arbor has put out bids for the abatement and the low bidder came in at \$8,700 plus \$400 for monitoring. Once it is abated, then our Public Works Department can take down the building and haul it away. Habitat for Humanity has agreed to pay half the cost of abatement, up to \$6,000. We have a total of \$11,789 which is \$2,689 for Fagan Engineers, \$8,700 for abatement and \$400 for monitoring.

Mr. Van Etten asked will Habitat for Humanity be putting in a single story ranch? Mr. Ryckman commented that is typically what they do; they call it a flash build.

- *137 East Washington* – Ms. Glass stated the contractor is working with two different home dealerships; Homes by Sherri and Butler in Mansfield, PA. He wants to make sure that he can make it work within the budget. She anticipates getting an update from him within the next couple of days.

D. **Arbor Contract** – Mrs. Dlugos stated the only update that is needed is the dollar amount to coincide with the Enterprise Grant. She requested authorization to update the contract to reflect \$40,550 per year for two years. The only other change is that Arbor is not doing our financials as we do them in-house. We also eliminated some HIPAA language, but there are still some confidentiality clauses that we have to include in the contract.

**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 MAYOR BUCKLEY. SECONDED BY MR. RYCKMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MAYOR VON HAGN. SECONDED BY MR. WHEELER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: APPROVING A TWO-YEAR CONTRACT WITH ARBOR FOR THE ADMINISTRATION OF THE STEUBEN COUNTY LAND BANK AT AN ANNUAL COST OF \$40,550 MADE BY MR. WHEELER. SECONDED BY MAYOR VON HAGN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

E. **Property Acquisition** – Mrs. Dlugos reported she has received the preliminary information from the Finance Office about the tax sale properties, as well as information regarding vacant and foreclosed properties from the Village of Bath and other municipalities. For the Enterprise Grant, we need to do three demolitions and three rehabs over a period of two years. For the June meeting, she would like to have a plan going forward for what we will acquire this year. We will have a lot of “spares” to compensate for any properties that are pulled from the tax sale.

Mrs. Dlugos stated they also will have the potential for the Mr. Cooper properties, but Danielle Paladino had some concerns regarding the timing. Ms. Glass explained there are certain approvals that have to be met in order to be a part of the Mr. Cooper Program. These are bank foreclosed homes that the Mr. Cooper Program donates to not-for-profits. We get an email from the program and then have to respond within 48 hours. It is not a commitment to keep the properties, but to go out and look at them. We have a week to say that yes, we will take the property. We have had two of the properties with the Chemung County Land Bank. Also, within this program, once you say yes to a property, you can then apply for a \$20,000 grant to do one rehab or one demolition. The timing for this is the key. Ms. Glass stated if we were able to obtain a property through this program, it would be easiest for Arbor to acquire the property and then transfer it to the Land Bank.

Mrs. Dlugos asked how can we handle that as a Board? If we get an offer, Arbor will go look at the property and then the County will have a week to make a decision. Could we poll the Board or hold a special meeting? She stated Mr. Donnelly did find eight or nine Mr. Cooper properties in Steuben County. We would get the properties at no cost and then potentially get a \$20,000 grant toward the demolition or rehabilitation. This could be part of the Enterprise Grant.

She commented we also have timing issues with the foreclosures and she has provided that information to Arbor. There was consensus among the board that if a Mr. Cooper property or other foreclosure property needs board action between meetings, Mrs. Dlugos should organize a special board meeting.

Ms. Glass stated we have gone through the foreclosure list and filtered the properties down to 20. Many of the properties are located in the Village of Bath, City of Hornell and the Town of Bath. Mrs. Dlugos stated they are focusing on properties that are located within neighborhoods and they do have one potential property that is located in Canisteo. She commented with the Enterprise Grant the deed restriction is 10 years, and the language is similar to what LISC had. Ms. Glass commented one of the differences with the Enterprise Grant is that when we get a bid from a contractor and they ask for their disbursement, we will have to submit all of the invoicing to Enterprise and that is something that we did not have to do with LISC.

Mr. Van Etten asked what happens if we sell, get a 10-year deed restriction, and the owners abandon the property in six years? Ms. Prossick replied there are many scenarios. Essentially, Enterprise or the county would have the right to go in and try to enforce that. Mr. Van Etten commented a lot can happen in 10 years. Ms. Prossick stated the property owner is fine as long as they do not sell the property, or do not sell it to someone outside of the original income bracket.

**V. OTHER BUSINESS**

A. *Next Meeting* – The next meeting has been scheduled for Wednesday, June 5, 2019 at 10:30 a.m. in the Legislative Committee Room.

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

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature