



**TCPDC**

**TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION**

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**Tioga County Property Development Corporation  
Regular Board of Directors  
Wednesday, May 31, 2023, at 4:00 PM  
Ronald E. Dougherty County Office Building  
56 Main Street, Owego, NY 13827  
Economic Development Conference Room #109**

**MINUTES**

- 1. Call to Order – Chairman R. Kelsey called the meeting to order at 4:01 PM.
- 2. Attendance
  - a. Present: R. Kelsey, M. Baratta, H. Murray, S. Yetter, L. Pelotte, S. Zubalsky-Peer  
Absent/Excused: D. Astorina, M. Sauerbrey
  - b. Invited Guests: B. Woodburn, K. Warfle

- 3. Old Business
  - a. Approval of Minutes of Regular Board Meetings, March 29, 2023

**Motion to approve March 29, 2023 Regular Board Meeting Minutes, as written:  
S. Yetter/L. Pelotte/Carried  
None Opposed  
No Abstentions**

- b. Acknowledgement of Financial Reports through April 30, 2023  
Ms. Woodburn reported: The TCPDC has a little over \$440,000 in the TSB account, which is primarily made up of the ARPA/Hooker Foundation funds. Expenses for this quarter were primarily related to operational and property maintenance costs. Ms. Woodburn has requested the third disbursement from LBI – Phase 1 in the amount of \$33,000+ which will reimburse those operational costs. The TCPDC has a little over \$12,000 to draw down through August 14, 2023 for those LBI funds.

**Motion to acknowledge financials, as presented:  
S. Zubalsky-Peer/H. Murray/Carried  
None Opposed  
No Abstentions**

- c. Status of Temple/Liberty Street owned properties

**A PARTNER OF**

**TEAM TIOGA**



i. Providence Housing – Appraisal

Ms. Woodburn received the appraisal from J.S. Miller Appraisal Associates. They appraised the Temple/Liberty Street parcels at \$94,000. Ms. Woodburn spoke with Providence, and it sounded like they would be agreeable to entering into the purchase agreement for that full amount. Ms. Woodburn explained again that TCPDC would want Providence to agree to take either all of the parcels, or at a minimum all of the western or eastern tracts, as a whole. To move forward, Providence needs TCPDC to agree to the option agreement previously reviewed. Ms. Woodburn will let Providence Housing know that there will be a fence installed on the 96-102 Liberty Street parcel. M. Baratta noted that Village Board members have visited other Providence Housing sites and the new plan seemed amenable to them.

**Motion to authorize Brittany Woodburn to sign the Option Agreement with Providence Housing in the amount of \$94,000 on behalf of TCPDC:**

**R. Kelsey/L. Pelotte/Carried  
None Opposed  
No Abstentions**

d. Status of 103 Liberty Street/OACSD project

i. Disbursement Request

Ms. Woodburn reported: OACSD is 90% done with the interior framing. The new stairwell is complete to the second floor. All of the exterior walls have been furred out. They are ready to start roughing in the plumbing and electric. Ms. Woodburn is also working on setting up a site visit for TCPDC Board members before the next meeting. During the summer, there will be 4 students working with a teacher 8 hours/day, 5 days/week. OACSD has requested a disbursement of Hooker Foundation Funds in the amount of \$36,081.28. Ms. Woodburn reviewed the associated invoices/cancelled checks which were primarily equipment, tools and materials, and she has all of the necessary documentation. She also confirmed with Mark Dixon at an in-person meeting on 4/26/23 that he is ok with TCPDC releasing the funds. There is approximately \$6,000 left to disburse.

**Motion to authorize Brittany Woodburn to disburse Hooker Foundation Funds to the OACSD in the amount of \$36,081.28:**

**S. Yetter/M. Baratta/Carried  
None Opposed  
No abstentions**

e. Status of 80, 82 and 84 Main St, Candor NYMS Project

Ms. Woodburn provided an update: Apartments at 82 Main Street are complete, minus the completion of the fire system and electrical. They are currently waiting for the materials to come in so that they can finish these.

Commercial space at 82 Main Street is complete minus the installation of the front overhang soffit, installation of exterior lighting, and installation of store bathroom fixtures. The state approved extending the project until June 30. M. Schnabl is working on setting up a site visit for Board Members.

f. Update on 2022 V. Owego and V. Newark Valley projects

Ms. Woodburn provided these updates:

58 Whig Street – Closed on this property.

437 Front Street – Closed on this property. The new property owner has already started exterior demolition of porch. Property next door is also being privately renovated. Ms. Woodburn will ask the 437 Front St. property owner for a site visit by the board. He has given permission for the TCPDC to display a temporary yard sign on the property. Ms. Woodburn shared that it was determined there is no encroachment on the neighboring property.

98 Fox Street, 247 Main Street, and 94 Spencer Avenue received two proposals for demolition of these properties:

- LCP Group – \$124,200
- Gorick – \$121,920

For two of the properties, the Village of Owego agreed to provide reimbursement for a portion of the cost of demolition. Extensive outreach was made to MWBE firms and documented, as required, and Joe Meagher said it was sufficient.

**Motion to approve Gorick as the lowest responsible bidder to perform the demolition services for the properties on 98 Fox Street, 247 Main Street and 94 Spencer Avenue:**

**H. Murray/S. Zubalsky-Peer/Carried**

**None Opposed**

**No Abstentions**

Potential plans for 10 Watson Ave, Newark Valley were discussed. Tioga Opportunities, Inc. may assist with this and other rehab projects in the future. LBI Phase II funds could be used for stabilization and then pursue other sources for the rehab of the property. Demolition would cost approximately \$50K, which includes the environmental testing. Another possibility is to partner with Newark Valley School District in a way similar, but limited in scope, to OACSD's Liberty St. project.

g. 96 – 102 Liberty Street – Fence Discussion

The Fords were not open to constructing the fence on their own property. They are agreeable to moving forward with the Land Bank constructing the 6' chain link fence in the amount of \$4,960, as long as the Land Bank is agreeable to paying for half the cost of adding slats (\$360) to the fence. This would bring the total cost of fence for TCPDC to \$5,320.

**Motion to approve purchase and installation of a 6' chain link fence with slats from BestWay Fence in the total amount of \$5,320:**

**S. Yetter/M. Baratta/Carried**

**None Opposed**

**No Abstentions**

h. Status of existing funding sources

i. NYS HCR – Land Bank Initiative (LBI)

1. LBI Phase 1

Ms. Woodburn reported on this during the financial report (see above). She also noted that TCPDC will not meet MWBE goals (10% MBE, 20% WBE) for this program

due to many of the operational funds contracts already being in place, so she has reached out to the State Program Manager to have discussions on this. We made a good faith effort to reach out statewide to MWBE firms for the Lawn Maintenance RFP and the Audit RFP with little to no response.

2. LBI Phase 2 – Grant Agreement

TCPDC has been awarded \$900,000 through the LBI Phase II program. We initially requested \$1,000,000 in funds. The proposed revised budget reflects 9 projects (5 demolitions and 4 stabilizations). We have an 18-month term to implement the project.

**Motion to reaffirm email vote authorizing Brittany Woodburn on behalf of the TCPDC to submit the revised LBI Phase II budget as presented in e-mail dated 4/27/23; and to authorize Brittany Woodburn to sign the Land Bank Initiative Grant Agreement (SHARS 20230044) with the Housing Trust Fund Corporation and supporting documentation, as well as authorize acceptance of the awarded grant funds in the amount of \$900,000:**

**L. Pelotte/H. Murray/Carried  
None Opposed  
No Abstentions**

4. New Business

a. Requests for Proposal

i. Lawn Maintenance

Extensive outreach was made to MWBE firms, which involves a minimum of 3 outreach efforts to all and document that effort and the responses. We received two proposals: Scott's Lawncare (\$375 per service) and Jimmer Ulrich (\$960 per service). Those were the only two interested in submitting a proposal.

**Motion to authorize Scott's Lawncare to provide lawn maintenance services in the amount of \$375 per service:**

**M. Baratta/S. Zubalsky-Peer/Carried  
None Opposed  
Abstention: S. Yetter**

ii. Audit

Ms. Woodburn received 3 proposals on Friday. She is still reviewing proposals and will provide a summary of the results at the next meeting for the board to make a decision.

b. Discuss Insured Cash Sweep Program

The Finance Committee met on 5/9/2023, and Susan Farrell, Vice President, Business Development, Tioga State Bank presented an FDIC insured investment program, IntraFi Network Deposits, as a secure way to safeguard the TCPDC deposited funds in excess of the \$250,000 secured through FDIC Insurance. Ms. Woodburn provided all board members with a copy of Susan's presentation. The TCPDC would place funds in excess of \$250,000 in a money market deposit account (or more if we choose to) in order to safeguard the funds. Those funds

are then divided into amounts under the standard FDIC maximum of \$250,000 and placed in deposit accounts at other FDIC-insured banks that participate in the same network. Funds are easy to access simply by submitting an email transfer form to request funds be transferred back to the TSB account. Susan assured the finance committee that the funds are liquid, and transfer happens instantly. Funds earn interest in the account as well (\$100-\$200K 0.85%, \$250-\$750K 1.85%, \$750K+ 2.85%). Tioga County and IDA both use this product. The Finance Committee did vote to recommend to the full TCPDC Board that we proceed with IntraFi Network Deposits program.

**Motion to authorize Brittany Woodburn to sign MMDA Deposit Placement Agreement and the custodial agreement with Tioga State Bank for the IntraFi Network Deposits program:**

**H. Murray/S. Yetter/Carried**

**None Opposed**

**Abstention: R. Kelsey**

c. New Board Member Discussion

The Governance Committee met just prior to this Board meeting and discussed board member attendance requirements and a recent vacancy created due to a retiring board member. Potential candidates and the criteria required to fill this position were also reviewed. The committee recommends to the Board that members of the Governance Committee be permitted to have conversations with a potential candidate. The board agreed to the recommendation.

d. Discuss upcoming Tioga County Real Property Tax Foreclosure

Ms. Woodburn shared a copy of the summary of Tyler V. Hennepin County Supreme Court Case. The attorney for the New York Land Bank Association said the current way NY counties use the foreclosure process to generate revenue cannot continue. The County, which must now establish value, is waiting for the State to create legislation and provide guidance so they are in compliance with it. Conversations with the Treasurer's Office and the Legislature regarding this process will continue.

Ms. Woodburn has been working with the Treasurer's Office to identify properties from the upcoming foreclosure list that may be good demolition and renovation candidates for the Land Bank. Scheduled site visits next week to look at six of these properties. Municipal Code Enforcement Officers, Sara Zubalsky-Peer from TOI, and an estimator will be participating in these visits. The Treasurer's Office needs a decision before the end of June on what properties the Land Bank would like the County to pull from the auction, so a special meeting will be needed in June. The Land Bank will work with Real Property at that time to move the properties to section 8 roll.

Ms. Woodburn has also been having discussions with the Broome County Land Bank. They have one full time employee, so they partner with SEPP and First Ward Action Council to manage all of their rehabilitation projects. They have shared their co-development agreements with TCPDC for a fee. Steuben/Chemung Land Banks also do something similar with Arbour Housing. Sara

Zubalsky-Peer and Ms. Woodburn have been discussing opportunities for TCPDC to have a similar partnership with TOI. Sara has had discussed with her Director and the TOI Board, and they seem very agreeable to pursuing this partnership as well. TOI does have a separate 501c4 (LLC) formed for this type of work.

Ms. Zubalsky-Peer reported that other Land Banks do partner with other non-profits to diversify what they are doing with properties to keep viable housing in communities.

Ms. Woodburn suggested we will have to do some pilot projects to determine what works best. Some of the things we have discussed is TOI managing our rehabilitation projects for a fee, TOI may also be interested in acquiring multi-family properties from the Land Bank to renovate, own and operate themselves.

#### Potential Private Acquisition:

- 81 North Avenue – Ms. Woodburn did a site visit of this property and reported on its current condition. There is a possibility of a Private Acquisition/LBI Phase 2 Stabilization/NYMS Rehabilitation/Partnership with TOI to manage rehabilitation and manage the property. Ms. Woodburn has had initial discussions with Joe Meagher about the Land Bank forming a separate LLC to transfer property to once the renovations are completed. He thinks this is possible and is looking into it. The thought behind this project is to create sustainable revenue for the Land Bank in case state funding does not continue. It could also be an excellent community revitalization project (mural, revitalize North Avenue, visually impactful, etc.). This is an introduction of the idea to see if the Board wishes to pursue further. S. Zubalsky-Peer related the possible ways TOI could be involved and R. Kelsey noted that a joint venture would align with the original intent of Land Banks and assist in future projects.

Ms. Woodburn proposed the next steps of putting together an estimated budget for renovating the property, scope of work, financing plan and operational budget once renovations are complete. Then the Project Review Committee would meet to review proposals and make a recommendation to the full Board. The board will need to hold a special meeting in June to decide on all proposed projects prior to the July deadline. All were in favor of moving forward with this plan.

- e. Discuss upcoming funding opportunities – NYMS and CDBG

Ms. Woodburn will be applying, on behalf of the Land Bank, for NYMS funding to help with the North Avenue project if the board votes in June to proceed.

#### 5. Chairman's Remarks

The Annual Board Evaluation of the Land Bank Director will be sent to the board to complete.

Evaluations to be returned to Stu Yetter, who will review and summarize in a meeting with the Director of Economic Development and Planning. Chairman Kelsey requested Ms. Woodburn provide a list of the various grants she has successfully obtained on behalf of the Land Bank. Chairman Kelsey is looking forward to the tour of the Candor NYMS project and the 103 Liberty St. project.

H. Murray requested a Doodle poll be sent out ASAP to schedule the special June meeting.

6. Adjournment – S. Yetter motioned to adjourn; the meeting adjourned at 5:20 PM

Respectfully submitted,

Karen Warfle, OSII

Tioga County Economic Development and Planning