

STEBEN COUNTY LAND BANK CORPORATION (SCLBC)

Wednesday, January 6, 2021

10:30 a.m.

*Legislative Chambers, 3rd Floor, Annex Building
Bath, New York*

****MINUTES****

PRESENT: Hilda T. Lando, Chair, Steuben County Legislator – District 2
Scott J. Van Etten, Vice Chair, Steuben County Legislature Chairman – District 13
Jack K. Wheeler, Steuben County Manager
Tammy Hurd-Harvey, Steuben County Commissioner of Finance
Raymond Walch, Mayor, Village of Addison
John Buckley, Mayor, City of Hornell

OTHERS: Christopher Brewer, Deputy County Manager/ SCLBC Executive Director
Jennifer Prossick, Steuben County Attorney
Jeannie Glass, Arbor Development
Danielle Kenny, Arbor Development
Rocco Soda, Arbor Development
Mitchell Alger, Steuben County Deputy Commissioner of Finance
Carol A. Ferratella, Steuben County Legislator – District 13
Kelly H. Fitzpatrick, Steuben County Legislator – District 3
Robin K. Lattimer, Steuben County Legislator – District 3
Frederick G. Potter, Steuben County Legislator – District 10

ABSENT: Jennifer Miller, City of Corning Planning & Economic Development Director

I. CALL TO ORDER

Mrs. Lando called the meeting to order at 10:30 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE DECEMBER 2, 2020, MEETING MADE BY MR. VAN ETTEN. SECONDED BY MRS. HURD-HARVEY. ALL BEING IN FAVOR. MOTION CARRIES 6-0.

III. DISCUSSION/ACTION ITEMS

A. *Treasurer's Report* – Mr. Brewer stated this morning he emailed out a new report. He stated Mr. Alger has done a great job with the reports. This report includes a project summary page and gives you a good cash perspective with each property. Mr. Van Etten commented I like the project summary format and it is very helpful.

B. *Budget Transfers* – Mr. Brewer provided a handout outlining the budget adjustments which the committee voted on via email.

C. *Project Updates – LISC Grant*

- *137 East Washington (Bath)* – Mr. Brewer stated this property will be transferred to Habitat for Humanity. He has sent emails and left voice mails to set up a meeting. He stated that he does not believe the paperwork has been filed yet, even though it has been given to them. The property located at 24 Baldwin Avenue in Addison, under the Enterprise Grant, will also be going to Habitat for Humanity.

- *148 Terry (Hornell)* – Mr. Brewer stated we are very close to closing on this property. We will be closing within the next two weeks as the closing has to occur by January 21, 2020. The buyer will be incurring additional fees because of the abstracting survey. They are requesting the Land Bank pay the \$228.29 to keep the rate locked through this period. This is something the Land Bank can do as this is on our side. He stated he thinks this would be appropriate to do. Mr. Van Etten commented if this was because of our delay, then it should be on us. Mr. Brewer stated we could provide it as a credit at the time of closing.

MOTION: AUTHORIZING A CREDIT OF \$228.29 TO BE ISSUED TO THE BUYER AT THE TIME OF CLOSING ON THE PROPERTY LOCATED AT 148 TERRY IN THE CITY OF HORNELL MADE BY MR. VAN ETTEN. SECONDED BY MAYOR BUCKLEY. ALL BEING IN FAVOR. MOTION CARRIES 6-0.

D. *Project Updates – Enterprise Grant*

- *Chestnut Street* – Mr. Brewer stated both properties located at 278 Chestnut Street (Corning) and at 1480 Chestnut Street (Hornellsville) are very close to closing. We are waiting on the abstract and survey for both properties. They were ordered at the wrong part of the process. The buyer of the 1480 Chestnut Street property will also face an issue with their rate because of the delay. Ms. Kenny commented the buyer had to extend the rate through January 21, 2021. Mr. Brewer stated we had accepted their offer on September 2nd and we don't have the amount of what the cost would be for the buyer to secure their rate. I think it would be the right thing to do to pay that fee if the buyer incurs an additional fee. Mrs. Lando asked is that something we could do via email? Mr. Brewer replied yes.

Mrs. Hurd-Harvey asked what is the issue with these? Mr. Brewer explained that for these properties and Terry Street the abstract was ordered at the wrong time; it needs to be ordered at the time of acquisition. Going forward, we will not run into this again.

Mr. Alger asked what kind of loans are the buyers getting and has that been part of the delay? Mr. Brewer replied the buyer for the Corning property is using a VA or FHA loan and there are more hurdles to go through than with a conventional mortgage. For the most part the buyers have been ready. Mrs. Lando stated going forward we will keep this from happening? Mr. Brewer replied yes.

- *9187 CR 74 (Pulteney)* – Mr. Brewer stated that he visited the property on Monday and there are a few more weeks left to work. This is really coming along. Ms. Glass stated as of the last meeting they were 70 percent complete. We went out early last week and now they are roughly 85 percent. The official walk-through and pay app are scheduled for today. We should be wrapping this project up in two weeks.

Mrs. Lando asked then what happens? Mr. Brewer stated then we will put it on the market, I believe for \$150,000 or \$151,000. Ms. Kenny stated we have not completed the appraisal. When the project is complete then we will order the appraisal and that usually has a good turnaround. We should have a price by the February meeting.

Mr. Soda commented it is tricky to comp it out as there are limited comps, but what there are, are all over the map. I am pretty anxious to see what the appraisal will come in at. It easily should be over \$100,000. Ms. Kenny stated our original evaluation set the sales price at \$110,000. We are just guessing until we get the appraisal.

Mrs. Lando asked what do we have into it? Mr. Brewer replied we have \$87,000 into it and by the time it is all said and done, my guess would be \$110,000.

- *8867 SR 415 (Campbell)* Mr. Brewer stated this is a carryover due to the tax sale issue. There has been no change. Ms. Kenny stated we were not going to pursue Campbell at this point with the other

potentials that we have, is that correct? Mr. Brewer stated we do have a number to talk about. I don't know the condition of Campbell. We may be able to move that to a demo and have that as a carryover item. Mrs. Hurd-Harvey stated we could potentially do something in May. Ms. Prossick stated there is an Administrative Order by the Chief Judge that we cannot pursue default judgments. This is not attached to the Governor's Executive Order. Mr. Brewer asked would we propose this is a demo or rehab? Mrs. Hurd-Harvey replied a demo.

- *7162 State Route 54 (Bath)* – Mr. Brewer stated he would like to discuss this in Executive Session.
- *24 Baldwin Ave. (Addison)* – Mr. Brewer stated Habitat for Humanity has the documents to take ownership. They are paying half the demolition cost and the demolition has been done. Mr. Soda stated Tom Bowes is the attorney and he is pro bono. I can put some pressure on him to reschedule the meeting so we can get the paperwork transferred.

E. *Demolitions*

- *Steuben County – Greenwood/Dansville* – Mr. Brewer stated that he has talked with Ms. Kenny, Ms. Glass and Mr. Soda and we could pay for half the cost to get a credit and reimbursement through the grant. The Land Bank could reimburse the County for half the demo cost and then get the credit. There are still a couple of other options to complete our grant requirement. He stated the Greenwood demolition was completed prior to year-end and the Dansville demolition is in process.
- *114 Front Street (Addison)* – Mr. Brewer stated this is the property that has fire damage and where the ex-husband is in Oklahoma. Mayor Walch stated the address should be 115 Front Street. He stated he got the phone number and was able to talk to the ex-husband, Elwood Devoy. Mr. Devoy called back and said that he would take \$500 and Mrs. Devoy will also take \$500. We are all set to sign off for a total of \$1,000 so we can take over the property.

MOTION: AUTHORIZING THE EXECUTIVE DIRECTOR OF THE STEUBEN COUNTY LAND BANK TO ENTER INTO A PURCHASE AND SALE AGREEMENT WITH THE DEVOYS FOR \$1,000 RELATIVE TO THE PROPERTY LOCATED AT 115 FRONT STREET IN ADDISON MADE BY MR. VAN ETEN. SECONDED BY MAYOR BUCKLEY FOR DISCUSSION.

Mr. Van Etten complimented Mayor Walch on tracking everything down. Ms. Kenny stated Mrs. Devoy did indicate that they have not been paying the taxes. Mayor Walch stated that he will work with the Village to get the water and sewer charges cancelled.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 6-0.

- *44 Upper Farnham (Addison)* – Mayor Walch stated that he spoke with the Office Manager at Cornerstone and they are willing to sign over the property as a donation. He stated they changed their name to Candelight Properties. Ms. Prossick stated her suggestion would be to authorize a purchase and sale agreement and to not take title if there is a title or bankruptcy issue.

Ms. Kenny stated we needed a third demolition and we have \$14,000 set aside. We are doing an extra rehabilitation in Bath and the rest of the Enterprise grant money would go toward that and anything left over could be used for another project.

Mrs. Lando asked what is the cost to demo? Ms. Kenny replied it would \$8,000 and then \$1,000 for acquisition. There would also be additional fees for legal and environmental work. We will probably hit that \$14,000. Mr. Van Etten asked what is the unrestricted amount that we have? Ms. Kenny stated Enterprise is being reimbursed for our costs. The insurance, taxes, etc. would come out of the unrestricted funds. Mrs. Hurd-Harvey stated we have over \$200,000 in unrestricted funds. Mr. Van Etten stated I would say that we should still move forward with demolition

Secretary's Note: Mr. Wheeler was excused from the meeting.

Mayor Buckley asked is there any interest in either property? Mayor Walch replied not that I am aware of. Mr. Soda commented you may have a commercial opportunity on Front Street. Habitat for Humanity is always interested. Mayor Walch stated this property is on the Main Road and there is a gas station that is switching to Kwik Fill and I would be excited to get something started commercially. Mr. Soda stated there will be an environmental issue with the location being next to a gas station. Ms. Kenny stated she could contact Kwik Fill to see if they would have any interest. Mrs. Lando asked how would we approach that? Mayor Walch stated I doubt they would want it as they have a large parking lot and are replacing the tanks on the east side. I could try to do some research. This is an excellent spot for a commercial property.

Mr. Van Etten stated I understand the concerns for an environmental Phase I since it is located next to a gas station, but that station has been in place for twenty years if that. It is not a legacy site and I don't think there would be any environmental issues. Mayor Walch stated I don't think so.

Mr. Soda asked what is the budget for the Route 54 rehabilitation with Enterprise funds? Ms. Kenny replied there is about \$80,000. We could move funds from certain line items to cover it.

Mrs. Lando asked how does this property, Upper Farnham, stack up with other demos on the list? Are there any others that have a higher priority? Mr. Soda stated we were trying to prioritize those with a clear path to title. The two in Addison have the clearest path.

- *2 North Main (Cohocton), 103 Washington (Wayland), 111 West First Street (Corning)* Mr. Brewer stated these properties would be by the tax foreclosure route and we can bypass discussion on these.

Mayor Buckley asked what about the potential for future development? We don't want to acquire property and then sit on it. Mr. Brewer stated the Farnham Street property in Addison is residential. Mayor Walch commented I have a verbal agreement from the Candlelight Properties office management and the Village will be glad to get out from under it. Mrs. Lando stated it could be another residence. Mayor Walch replied yes.

Mr. Brewer asked how big is that lot? Ms. Kenny stated it is .6 acres. Mr. Brewer commented that is a good size lot.

MOTION: AUTHORIZING THE EXECUTIVE DIRECTOR TO PURSUE ACQUISITION OF THE PROPERTY LOCATED AT 44 UPPER FARNHAM IN ADDISON MADE BY MR. VAN ETTEN. SECONDED BY MAYOR WALCH FOR DISCUSSION.

Mrs. Lando asked how will we go about that? Mayor Walch asked are you willing to get approval? Mayor Walch replied I can contact the office manager and ask if she has the authority to turn the property over. Mr. Van Etten stated I think we leave this up to Ms. Prossick or Mrs. Hurd-Harvey to pursue. Mr. Soda stated Arbor can also help as a liaison.

VOTE ON PREVIOUS MOTION: MOTION CARRIES 5-0. (MR. WHEELER ABSENT FOR VOTE)

Mrs. Lando asked will this meet the Enterprise requirement? Ms. Kenny replied yes, we will have exceeded our goals. Mr. Brewer stated the other three properties we will keep on an internal list. Mrs. Lando asked as well as the Campbell property? Mr. Brewer replied yes.

IV. OTHER BUSINESS

- A. *Next Meeting* – The next meeting has been scheduled for Wednesday, February 3, 2021 at 10:30 a.m.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.D. DISCUSSION REGARDING PROPOSED, PENDING OR CURRENT LITIGATION MADE BY MAYOR BUCKLEY. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. (MR. WHEELER ABSENT FOR VOTE)

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. VAN ETTEN. SECONDED BY MAYOR BUCKLEY. ALL BEING IN FAVOR. MOTION CARRIES 5-0. (MR. WHEELER ABSENT VOTE VOTE)

MOTION: TO ADJOURN MADE BY MAYOR BUCKLEY. SECONDED BY MRS. HURD-HARVEY. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature