

**Livingston County Land Bank Corporation**  
**Board of Directors Meeting**  
**March 28, 2019**  
**Meeting Minutes**

**Members:** WILLIAM BACON, Office of Economic Development; IAN COYLE, Livingston County Administrator; ANGELA ELLIS, Deputy County Administrator, WILLIAM FULLER, Real Property Tax Services; SHANNON HILLIER, Livingston County Attorney; DANIEL L. PANGRAZIO, Livingston County Board of Supervisors.

**Members not Present:** AMY DAVIES, Livingston County Treasurer.

**Staff:** JOE GUNTHER, Program Specialist; LINDA SHANKS, Planning Department.

<b>Agenda Item</b>	<b>Call to Order and Welcome</b>
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Chairman Pangrazio called the meeting to order at 1:33 p.m. and welcomed the group.

<b>Agenda Item</b>	<b>Approval of Minutes from February 28, 2019</b>
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Chairman Pangrazio asked if there were any additions, corrections, or deletions to the February 28, 2019, Draft Meeting Minutes. Hearing none, he asked for a motion to approve them.

*A motion to approve the February 28, 2019, meeting minutes was made by Ms. Hillier and seconded by Mr. Bacon.*

Motion carried.

<b>Agenda Item</b>	<b>Treasurer's Report</b>
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Mr. Gunther reported on behalf of Ms. Davies, per the distributed document. The Balance Forward of the Livingston County Land Bank Corporation was \$22,887.31. Expenditures for the month – for web design, audit services, payroll, a home inspection, and life insurance – totaled \$8,622.69. The resulting Ending Balance equals \$14,264.62.

A brief discussion ensued regarding the current balance and the funds needed for an upcoming insurance payment and other unexpected charges. Mr. Coyle indicated that Livingston County will receive the insurance invoice and will bill the Land Bank Corporation for it. Ms. Ellis stated that the invoice will be submitted to Enterprise, which will automatically include it in the quarterly draw down.

*A motion to approve the Treasurer's Report was made by Mr. Coyle and seconded by Mr. Fuller.*

Motion carried.

<b>Agenda Item</b>	<b>Invoices Discussion</b>
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Mr. Coyle indicated that, per discussion with Chairman Pangrazio, he will be asking for an allocation of \$50,000 from the County at the next Ways and Means Committee meeting on April 8, 2019. The amount represents a 10% equity share of the Enterprise grant.

<b>Agenda Item</b>	<b>Organizational Actions/PARIS Reports</b>
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- a. Resolution 4-19: Approving Policies for Land Bank  
Referring to the distributed packet, Mr. Gunther presented the Resolution, indicating the list of

Policies for approval. He noted that Ms. Hillier had authored them.

Responding to Mr. Coyle's question, he stated that the Procurement of Goods & Services Policy requires annual renewal.

***A motion to approve Resolution No. 4-19: Adopting Certain Policies, Statements and Procedures, was made by Mr. Bacon and seconded by Mr. Fuller.***

The motion carried.

b. Annual/Investment/Procurement Report on PARIS

Mr. Gunther stated that he has put the reports on PARIS. Ms. Ellis added that, since it is the end of the quarter; she, Mr. Gunther, and Penny Trimm will be starting the quarterly report process.

c. RFQ for Inspection, Cost Analysis, Rehab and Demo Services

Referring to the distributed document, Mr. Gunther noted that he had added language to page 2, per a discussion with Mr. Coyle. A discussion ensued regarding the high cost of insurance per Enterprise requirements.

- Ms. Ellis stated that the next Enterprise call is scheduled for Thursday, April 4<sup>th</sup>. She will ask if the cost of additional insurance can be considered a project cost covered by Enterprise.

Mr. Coyle initiated a discussion on possible options with regard to potential contractors and the impediment of high insurance costs. Ms. Ellis reminded the group that all invoices must be submitted to Enterprise. Mr. Coyle asked if Sally Nelson and NYMIR have been asked for names of contractors who already have the type of insurance required by Enterprise.

- Ms. Ellis stated that, per her and Ms. Hillier's discussion with Sally Nelson and David Boyce earlier in the week, it will be expensive to hire contractors because of insurance costs and the Scaffold Law. Mr. Boyce had added that there is other required insurance that is not on the Enterprise list, such as workers compensation, for example.

Mr. Coyle asked Mr. Gunther to re-send him the document that parsed out Enterprise insurance requirements for contractors, so that he can send it to some insurance people for review and comparison with their experience.

The Board acknowledged their agreement with Mr. Gunther's work, but later in the meeting, advised him to change the document to an RFP and send it out for response as such. A due date of Monday, April 15, 2019, was set. Mr. Gunther will work with Penny Trimm on putting an ad in the *Pennysaver*.

**Agenda Item**

**Grant Contract Execution/ Due Diligence with Enterprise Community Partners, Inc.**

a. Insurance Update

Ms. Hillier stated that the Land Bank is insured.

b. Budget Update & Project Projections

Referring to distributed document, Mr. Gunther noted that the budget had been prepared by Ms. Ellis and himself. Enterprise has finalized it. Ms. Ellis added that adjustments will be made to the budget on a quarterly basis. She elaborated.

Responding to Mr. Coyle's anticipation that the Ways and Means Committee might ask about

repeated requests from the Land Bank for funds, Ms. Ellis stated that

- The Land Bank’s plan is to build revenue from its property transactions and become self-sufficient
- The amount of funding allowed by the State Budget cannot be predicted or guaranteed.
- Recurring costs might eventually deplete the Land Bank’s available funds.

Chairman Pangrazio offered a summary: The funds requested will help the Land Bank make some initial property transactions. It is not anticipated that repeated funding requests will occur.

However, it may become necessary at some point, to ask for monies for a specific project, that will be reimbursed after the property has been acquired and acted on.

Agenda Item	Properties
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a. 7 Grove Street – Mt. Morris

Ms. Hillier reported that drafted a purchase offer for the property and mailed it earlier this week. The offer is valid until 4:00 p.m., April 5, 2019.

Ms. Ellis expressed her confidence, based on conversations with the owner, that the offer would be accepted. In the meantime, the Board has permission to visit the property to inspect the hillside behind the house, now that the snow has gone.

Ms. Ellis enumerated the options for next steps after formal acquisition of the property:

- Reach out to adjacent property owners to see if they would be interested in purchasing the property
- Donate the property to the Village of Mt. Morris, with stipulations regarding re-sale
- Grant an easement to the Village of Mt. Morris for access to the creek, or side-lot the property
- Keep the property for a time. The Village of Mt. Morris just received a grant to study the Route 36 corridor from Mt. Morris to Leicester. It is working with the State Parks Office to find a location for access and a parking area to the trail.

Chairman Pangrazio noted that approaching adjacent property owners first might lead to a recoup of some of the cash outlay. Donating the property to the Village will mean that no tax dollars will come back from it. If the Land Bank has expended funds to purchase the property and clean it up, the Village should be expected to pay, at least, a nominal fee to take possession of it.

- Mr. Coyle agreed, but added that one donated property on a list among others that have produced income and generate taxes is acceptable for the Land Bank.
- Ms. Ellis stated that she had indicated to the Village that the Land Bank would approach adjacent property owners first. To confirm the decision regarding next steps, she stated them in order:
  - Approach adjacent property owners first
  - Approach the Village second, with the intention of asking for some payment

b. South Livonia Road, Conesus

Mr. Fuller stated that the property is not suitable for the Land Bank’s purposes and should be avoided. He has composed a letter to the property owner, offering possible options to her on the

disposition of the property. He will send that to Mr. Gunther for mailing, so that it comes from the Land Bank.

c. 8 Adams Street, Dansville

Mr. Gunther reported that he was present at the home inspection on Monday (3/25/2019). Overall, no structural issues were identified, but the house needs a new roof and could have plumbing issues. An environmental survey will probably show lead paint and asbestos, but there shouldn't be anything major. He referred to the distributed Home Inspection Report, as he read selections from it.

- Responding to Mr. Coyle's question, Mr. Bacon stated that the list price is \$24,000 and that the property is bank-owned. He added that the price is definitely negotiable. Mr. Gunther added that the property has been offered for some time.
- Mr. Coyle stated that responses to the RFQ will determine whether the Land Bank tries to acquire the property.
  - A discussion ensued about the idea of getting rough rehab estimates from local contractors or companies to determine a negotiable purchase price. In the course of the discussion, the need for a point person/clerk-of-the-works/go-between was identified. It was determined that an RFP for a construction consultant would be more appropriate. That person would determine the scope of work for a project.

Board decisions:

- Mr. Gunther will not send out the RFQ. Instead he will compose and email an RFP draft for a construction consultant to the Board for review and approval. He read an example of such a position from the Cattaraugus County Land Bank: a *Construction Technician*. The duties of this position mirror those identified by the Board's discussion here. He confirmed, for Mr. Coyle, that this position would be paid with Administration dollars.
- In the meantime, for this property, find a local contractor or construction company to do an estimate. Mr. Bacon offered to find someone. Ms. Ellis suggested contacting Todd Cole Construction. If the estimate is workable, put an offer in. Ms. Hillier suggested starting at \$10,000.
- The realtor who lists the property and shows it for inspection should write the purchase offer and get the commission from the transaction. This policy will promote good will and cooperation between realtors and the Land Bank.
  - Mr. Coyle advised adding *builder approval* contingency language to the offer.
- Per the Procurement Policy, this process will involve competitive bidding.

d. 4525 Lima Road, Geneseo

The price of this property is out of the Land Bank's range and doesn't seem to be merited by the condition of the home.

e. Tax Foreclosure Auction List

Chairman Pangrazio stated that Ms. Davies should be the point person regarding this list and should notify the Land Bank as the list is pared down to more actionable properties; that is, as soon as she is aware of properties whose taxes will not be paid.

Agenda Item	NYLBA Update/Other Organizational Activities/General Discussion/Next Steps
	<p>Mr. Gunther reported that, per information from the monthly NYLBA conference call, Enterprise will not release any grant funds for the year, if projects funded by the previous round of grant funding have not been completed.</p> <p>Mr. Bacon asked if the Land Bank should pursue any grants through the Consolidated Funding Application. Ms. Ellis suggested that there might be opportunities there.</p> <ul style="list-style-type: none"> <li>• Mr. Coyle suggested that Heather Grant, Livingston County Grants &amp; Public Information Coordinator, be asked to alert the Land Bank of any funding opportunities. Her services would be included as in-kind.</li> </ul> <p>Mr. Coyle stated that Habitat for Humanity still wants to work with the Land Bank regarding rehab estimates. The Adams Street property in Dansville is excluded, because of its stone foundation.</p> <ul style="list-style-type: none"> <li>• Mr. Gunther elaborated. The rehab unit of Habitat for Humanity would inspect a Land Bank property, to determine if they would want to be involved in its rehabilitation or not.</li> <li>• The Enterprise insurance requirement is still an issue, even if the Land Bank donates the property to Habitat for Humanity. Enterprise would consider the latter organization as a sub-contractor, if Enterprise money is used for rehab building materials and/or labor. Ms. Ellis noted that she and Mr. Gunther will discuss this issue with Enterprise on the next call.</li> </ul>
Agenda Item	Next Meeting
	<p>The next meeting will be on Thursday, April 25, 2019, at 1:30 p.m.</p>
Agenda Item	Adjournment
	<p><b><i>Mr. Coyle moved to adjourn the meeting. Mr. Bacon seconded the motion.</i></b></p> <p>Motion carried.</p> <p>The meeting adjourned at 2:53 p.m.</p>

Respectfully submitted, William Bacon, Secretary

Recorded by Linda Shanks, Senior Typist, Planning Department